



Agenda for the Board of Building and Zoning Appeals
Regular Meeting- Huron City Hall – Council Chambers
November 18, 2024 5:30p.m.

REVISED

- I. Call to Order**
- II. Roll Call**
- III. Adoption of the Minutes (10-14-24)**
- IV. Verification of Notifications**
- V. Swearing in of those testifying before the Board**
*When testifying before the board, please step to the podium, **sign in**, and state your name and address for the record.
- VI. New Business**
911 Beachside Zoning: R-1 PPN 42-00230.000
Area Variance- Side Yard Setback Variance for a partial second-story addition.

103 Wheeler Zoning: R-1 PPN 42-00325.000
Flood Plain Elevation Variance- Variance to Section 1137.03
Area Variance- Front Yard Setback Variance for new home.
- VII. Other Matters**
Meeting Reminder- December 9th.
- VIII. Adjournment**



TO: Chairman Kath and Board Members
FROM: Alec Romick, Zoning Inspector
RE: 911 Beachside
DATE: November 18, 2024

911 Beachside Ln **Zoning District: R-1** **Parcel No.: 42-00230.000**

Existing Land Use: **Single Family Residence** **Flood Zone: X**

Property Size: **0.00 Acres** **125' X 75'**

Traffic Considerations: **N/A**

Project Description- Area Variance- Side Yard Setback

The applicant/owner is seeking to add a partial second story addition on the existing 2-story home. The applicant is proposing building up on the existing footprint and no expansion of the home's footprint will be made. The home is pre-existing/nonconforming to the code with regard to side yard setbacks.

Applicable Code Sections/Specifications

1123.01- R-1 Single Family Residential

				<u>Side Yards</u>		
<u>Dwelling</u> <u>(stories)</u>	<u>Lot Area</u> <u>(sq. ft.)</u>	<u>Lot Frontage</u> <u>(ft.)</u>	<u>Front</u> <u>Yard</u> <u>Depth</u> <u>(ft.)</u>	<u>Least</u> <u>Width</u> <u>(ft.)</u>	<u>Sum of</u> <u>Width</u> <u>(ft.)</u>	<u>Rear</u> <u>Yard</u> <u>Depth</u> <u>(ft.)</u>
1	9,000	75	30	7	15	30
2	9,000	75	30	8	20	30

Since the proposed variance falls under the "area variance" category, the following criteria should be examined to establish if there are practical difficulties in the use of the property (The Seven (7) Way Test-Duncan vs The Village of Middlefield) MEMBERS SHOULD REVIEW AND APPLY THIS CRITERIA ON THE RECORD:

- 1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.***
- 2. Whether the variance is substantial.***
- 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.***
- 4. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).***

5. *Whether the property owner purchased the property with knowledge of the zoning restriction or if the need for the variance is "self-imposed." (The owner created the situation)*
6. *Whether the property owner's predicament feasibly can be obviated through some method other than a variance.*
7. *Whether the spirit and intent behind the zoning requirement would be observed substantial justice done by granting the variance.*

Staff Analysis

The home was built in 1960, is a two-story residential dwelling with an attached garage and is pre-existing/ nonconforming with regard to setbacks, specifically: side yard setbacks. The applicant is proposing to build a 300sq.ft. master bedroom extension over top of a portion of the existing first floor of the property. This extension will create more livable space in the master bedroom. There will be no change to the existing footprint of the home.

Setbacks	Existing	Proposed	Required
Side Yards (right)	6'	6'	Min. 8'

As proposed, the following variance is required:

- *Side yard setback variance of 2'*

Motion Examples

[PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD, USING THE SEVEN WAY TEST CRITERIA]

Motion to **APPROVE** the variance request:

I make the motion to **approve** the request for an area variance at 911 Beachside for a 2' side yard setback to the right side of the home for a partial second story addition, as submitted, as the testimony presented in this public hearing has shown that ***(Choose one or more appropriate finding(s) and specific items based on the seven-way test)***

- *The property in question would not yield a reasonable return or would not have any beneficial use without the variance.*
- *The variance is not substantial.*
- *The essential character of the neighborhood would not be substantially altered and/or the adjoining properties would not suffer a substantial detriment as a result of the variance.*
- *The variance would not adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- *The property owner purchased the property without the knowledge of the zoning restriction and/or the need for the variance is not "self-imposed." (The owner did not create the situation)*
- *The property owner's predicament feasibly cannot be obviated through some method other than a variance.*

- *The spirit and intent behind the zoning requirement would be observed, substantial justice done by granting the variance.*

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for an area variance at 911 Beachside for a 2' side yard setback to the right side of the home for a partial second story addition, as sufficient testimony has **not** been presented in this public hearing that the requested variance meets the criteria set forth in the seven-way test as the:

(Choose one or more appropriate finding(s) and specific items based on the seven-way test)

- *The property in question would yield a reasonable return and/or would have beneficial use without the variance.*
- *The variance is substantial.*
- *The essential character of the neighborhood would be substantially altered and/or the adjoining properties would suffer a substantial detriment as a result of the variance.*
- *The variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- *The property owner purchased the property with the knowledge of the zoning restriction and/or the need for the variance is "self-imposed." (The owner created the situation)*
- *The property owner's predicament feasibly cannot be obviated through some method other than a variance.*
- *The spirit and intent behind the zoning requirement would not be observed, substantial justice would not be done by granting the variance.*



CITY OF HURON
Planning & Zoning Department
417 MAIN STREET, HURON, OH 44839

THE BOARD OF BUILDING AND ZONING APPEALS APPLICATION
Completion of all applicable sections required. Incomplete applications will not be accepted.

We, the undersigned represent that we are the title owners of the following described property situated in the City of Huron, OH:

Applicant's Name OLDE TOWNE Remodeling, Chuck Hemker

Property Owners' Name: DAVID ROLSTEN

Address: 911 Beachside LN

City, State, Zip: HURON, Ohio 44839

Phone Number: DAVE 419-989-0126 Chuck 419-706-5456

Email: HEMKERchuck@gmail.com

Location of Project:

Lot/Parcel #: 42-00230.000 Zoning District: 42-Huron

Address: 911 Beachside Lane Huron, OH 44839.

Year purchased: 10/15/2003 Year the existing structure was constructed: 1960

Single Story Home: Two Story Home: X

Provide a brief summary of your proposed project:

BUILD MASTER B.R. EXTENSION OVER EXISTING
1st FLOOR STRUCTURE AND EXISTING FOUNDATION
FINISH ROOF HGT SAME AS EXISTING

Type:

- Area Variance: Subdivision Regulations Parking Setbacks ✓
Height Size Flood Plain Sign Regulations
- Use Variance:
- Conditionally Permitted Use:

We request a Hearing before the Board of Building and Zoning Appeals of the City of Huron, Ohio, on the following question: (State the specific details of the variance being requested. Example: Area variance- 1' side setback variance is required for the proposed addition; Use Variance- State the type of use; or Conditionally Permitted Use approval)

VARIANCE OF 2' ON RIGHT SIDE, REMAINING IN
CURRENT FOOTPRINT AND EXISTING FOUNDATION
OF EXISTING STRUCTURE

Conditionally Permitted Use Approval

The following uses shall be permitted only if authorized by the Board of Building & Zoning Appeals in accordance with the provisions of Section 1139.02. State the type of use being proposed and the applicable code section:

Code Section: _____

(skip to Page 7, Sign and Date Application)

Use and/or Area Variance Questionnaire

1. The property in question [will/will not] yield a reasonable return and there [can/cannot] be a beneficial use of the property without the variance because:

MASTER ADDITION CANNOT BE
BUILT ELSEWHERE DUE TO SETBACKS

2. The variance is [substantial/insubstantial] because:

IT DOESN'T INCREASE FOOTPRINT OF HOUSE
LOT WOULD NOT ALLOW ANY ADDITION DUE TO
SETBACKS

3. The essential character of the neighborhood [would/would not] be substantially altered or adjoining properties [would/would not] suffer a substantial detriment as a result of the variance because:

BUILDING WITHIN CURRENT FOOTPRINT
OF BUILDING

4. The variance [would/would not] adversely affect the delivery of governmental services, (e.g., water, sewer, garbage)

NO AFFECT ON UTILITIES

5. The applicant purchased the property [with/without] knowledge of the zoning restriction. Year the property was purchased: 2003. Year the structure(s) was constructed: 1960.

6. The applicant's predicament feasibly [can/cannot] be resolved through some method other than a variance.
7. The spirit and intent behind the zoning requirement [would/would not] be observed and substantial justice [done/not done] by granting the variance because

VALUE AND USE OF PROPERTY BY OWNER

8. We believe the request should be granted due to the following hardship which is created by the property: (explain the hardship that exists pursuant to the code)

NOT A LARGE VARIANCE, SAME FOOT PRINT
OF EXISTING HOUSE, INCREASES SQ FT
OF MASTER TO USABLE SIZE

Note: If granted, Use or Area variances will expire within one (1) year from the date of approval. Refer to Section 1139.04 (e) for specifics to timeline regulations for commencement of construction or Use continuation.

I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent and agree to conform to all applicable laws, regulations, and ordinances of the city. I certify all information contained within this application and supplemental documents are true and accurate to the best of my knowledge and belief.

In addition, I, the undersigned responsible party (owner, occupant, tenant, or agent for the property owner) of the property described herein, do hereby consent to entry upon said property, at a reasonable time and to the extent necessary, by the City of Huron and its officers, employees, and/or agents for the purpose of inspecting said property for compliance with the City's Zoning and/or Building Codes. I further certify that I have authority to grant access to said property.

Date: 10/29/24 Signed Applicant

Charles D. Hull

Date: 10/29/24 Signed Property Owner

[Signature]

(REQUIRED)

ZONING DEPT. USE ONLY

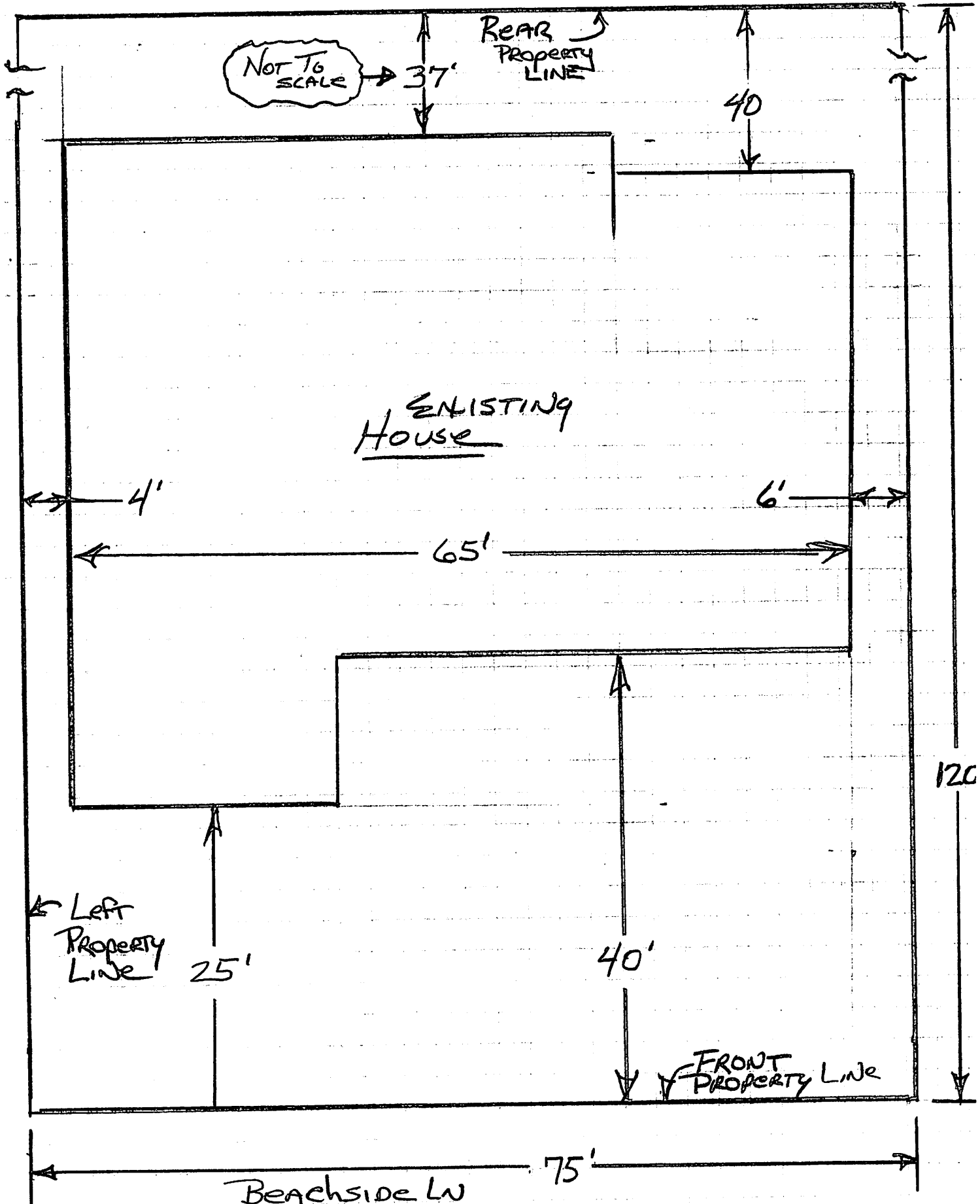
Date received: 10/30/24 Application Complete

\$150 filing fee received: ✓

Comments _____

Hearing Date

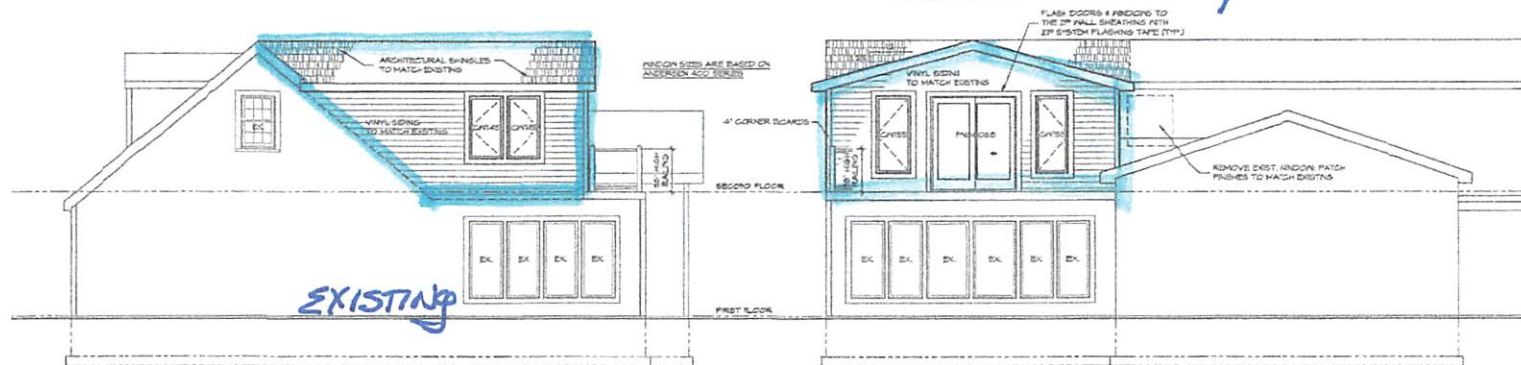
11-18-24



DAVE & NANCY ROLSTEN
911 BEACHSIDE LN

SCALE = $\frac{3}{32}$ "/ft

NEW ADDITION OVER EXISTING STRUCTURE

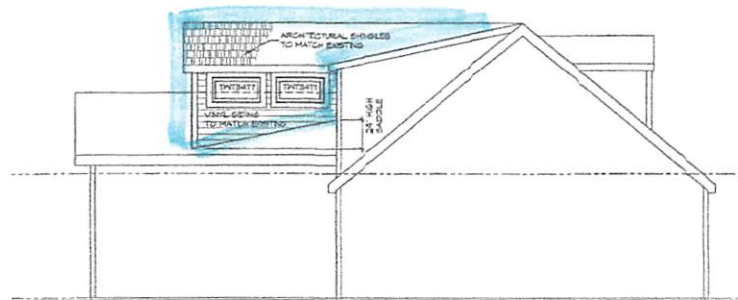


EAST ELEVATION

SCALE: 1/4"=1'-0"

NORTH ELEVATION

SCALE: 1/4"=1'-0"



WEST ELEVATION

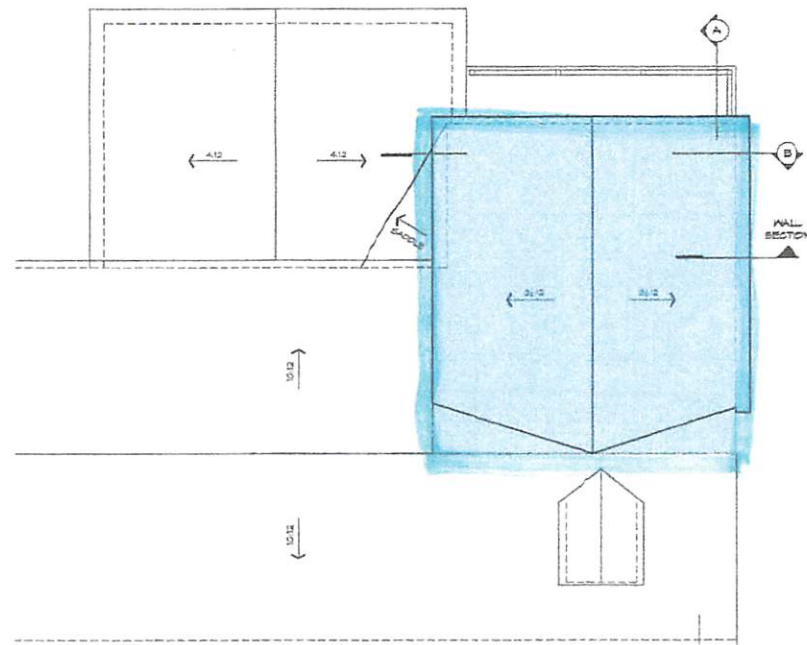
SCALE: 1/4"=1'-0"

OSG SECTION 1801 REQUIREMENTS FOR ROOF COVERINGS

- 1801.2.2 UNDERLAYMENT
UNDERLAYMENT SHALL CONFORM TO ASTM D 226, TYPE I, ASTM D 4854, TYPE I, OR ASTM D 8151.
- 1801.2.3 ASPHALT SHINGLES
ASPHALT SHINGLES SHALL COMPLY WITH ASTM D 225 OR ASTM D 3462.
- 1801.2.4 FASTENERS
FASTENERS FOR ASPHALT SHINGLES SHALL BE GALVANIZED ROOFING NAILS, MINIMUM 12 GAUGE (0.105 INCH) SHANK WITH A MINIMUM 3/8 INCH DIAMETER (15/16 INCH HEAD), OF A LENGTH TO PENETRATE THROUGH THE ROOFING MATERIALS AND A MINIMUM OF 1/2 INCH INTO THE ROOF SHEATHING WHERE THE ROOF SHEATHING IS LESS THAN 1/2 INCH THICK. THE NAILS SHALL PENETRATE THROUGH THE SHEATHING. FASTENERS SHALL COMPLY WITH ASTM F 346-1.
- 1801.2.5 ATTACHMENT
ASPHALT SHINGLES SHALL HAVE THE MINIMUM NUMBER OF FASTENERS REQUIRED BY THE MANUFACTURER, BUT NOT LESS THAN FOUR FASTENERS PER SHINGLE.
- 1801.2.6 ICE BARRIER
AN ICE BARRIER SHALL EXTEND FROM THE LOWEST EDGES OF ALL ROOF SURFACES TO THE ROOF PEAK.
- 1801.2.7 VALLEYS
VALLEY LININGS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS. BEFORE APPLYING SHINGLES, VALLEY LININGS OF THE FOLLOWING TYPES SHALL BE PERMITTED: FOR OPEN VALLEYS (VALLEY LINING EXPOSED) LINED WITH METAL, THE VALLEY LINING SHALL BE AT LEAST 24 INCHES (2 INCH) WIDE AND OF ANY OF THE CORROSION-RESISTANT METALS PER TABLE 1801.2.8.2. FOR CLOSED VALLEYS (VALLEYS COVERED WITH SHINGLES), VALLEY LINING OF ONE PLY OF 36 INCHES WIDE OF SELF-ADHERING POLYMER MODIFIED BITUMEN UNDERLAYMENT COMPLYING WITH ASTM D 746.
- 1801.2.8 Drip Edge
PROVIDE Drip Edge at EAVES and GABLES of SHINGLE ROOFS. OVERLAP TO BE A MINIMUM OF 2 INCHES. Drip Edge SHALL EXTEND 1/4 INCH (8 MM) BEYOND SHEATHING AND EXTEND BACK ON THE ROOF A MINIMUM OF 2 INCHES. Drip Edge SHALL BE MECHANICALLY FASTENED A MINIMUM OF 12" O.C.

ROOF SYSTEM

1. INSTALL Drip Edge at the ROOF EAVES. Drip Edge SHALL HAVE A 3" APRON AND A 2 1/2" VERTICAL LEAD. BE MANUFACTURED BY LEAD CORROSION-RESISTANT COPPER OR ZINC.
2. INSTALL OPENING FLASHING/ROOF SELF-SEALING ICE & WATER BARRIER MEMBRANE OVER THE ENTIRE ROOF.
3. INSTALL HATBARS STARTER SHINGLES - COLOR AS SELECTED BY THE OWNER.
4. INSTALL SHINGLES - COLOR AS SELECTED BY THE OWNER.
5. INSTALL SHINGLES AN OPEN OR CLOSED VALLEY FOLLOWING MANUFACTURER'S INSTALLATION INSTRUCTIONS AND THE OSG.



ROOF PLAN

SCALE: 1/4"=1'-0"

DAVE ROLSTEN
911 BEACHSIDE

EXTERIOR ELEVATIONS
ROOF PLAN

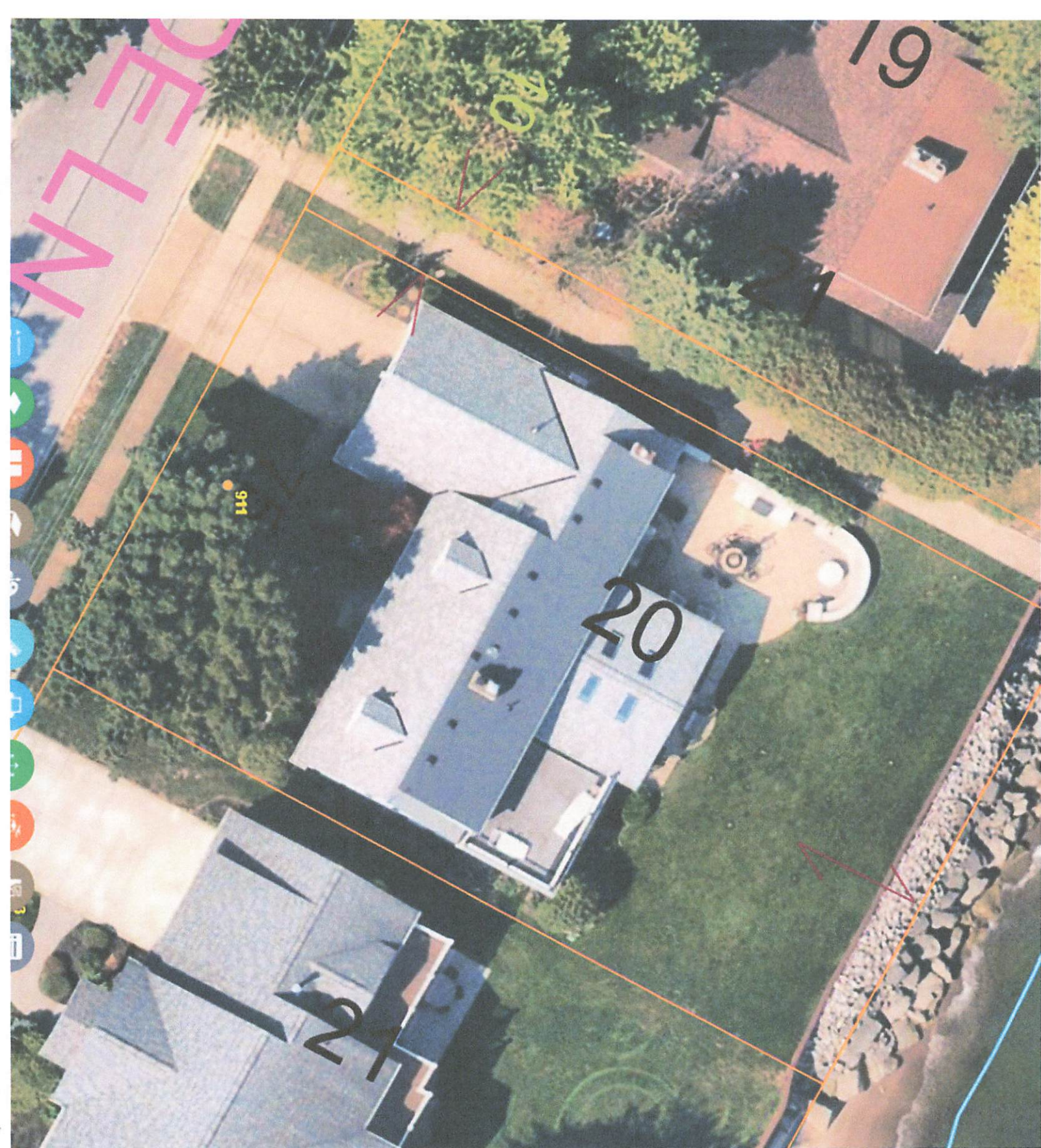
12022	01/12/24
18012	
Issued for building permit:	

TERRY L. ROSS
ARCHITECT
1127 SHILTERED BROOK DRIVE
HURON, OHIO 44839
419-368-9558

RESIDENCE ADDITION
ROLSTEN RESIDENCE
BY A PROFESSIONAL LAND SURVEYOR, CITIES, AREAS



Date: 10/12/22
Sheet Number:
A-1
Project No. 214





Property Owners

EAST

Robert Nelson
913 Beachside

MAILING
2588 MYERS Rd
Shelby Oh 44875

KATHLEEN KAMAN
915 Beachside

SAME

WEST

KATHLEEN KEESLING
909 Beachside

5661 LESOURDSVILLE
West Chester Rd
Liberty Twp Oh 45011

JUDY HALTER
907 Beachside

SAME

SOUTH

CHASKA PARTNERS LP
910 Beachside

433 GLEN ARDEN DR
Pittsburg PA 15208

JOHN PIETHOWICZ
912 Beachside

814 HUNTERSKNOLL LN
CINCINNATI, Oh
45230-4304

CHUCK HENKER
914 Beachside

SAME



TO: Chairman Kath and Board Members
FROM: Christine Gibboney, Administrative Assistant
RE: 103 Wheeler Drive
DATE: November 18, 2024

103 Wheeler Drive **Zoning District: R-1** **Parcel No.: 42-00325.000**

Existing Land Use: **Single Family Residence** **Flood Zone: AE-Floodway**

Property Size: **0.00 Acres** **75.00 x 175.00**

Traffic Considerations: **Private Dead-End Roadway**

Project Description- Flood Elevation Variance Request- Chapter 1135

Applicant/Owners are seeking to demolition the existing home, built in 1968, and rebuild a one-story home on the site. The entire parcel is within the FEMA - AE Floodway Zone. The applicant is requesting a variance to the flood protection elevation (FPE) requirement in Section 1135.

Applicant is seeking a front yard setback variance to enable accessibility and access to the garage and to better conform to neighboring home setbacks.

Applicable Code Sections/Specifications

- Chapter 1135- Flood Hazard Zoning/Flood Damage Reduction (Enclosed)
- Pursuant to Section 1135. 05 (d)- Variances. *Any person believing that the use and development standards of these regulations would result in unnecessary hardship may file an application for a variance. The Appeals Board shall have the power to authorize, in specific cases, such variances from the standards of these regulations, not inconsistent with Federal regulations, as will not be contrary to the public interest where, owing to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary Hardship.*
- 1135.05 Appeals and Variances. Refer to this section for applicable criteria and basis.
- FEMA minimum standards require the Flood Protection Elevation (FPE) is to be no less than 1' above the Base Flood Elevation.

1123.01- R-1 Single Family Residential

Dwelling (stories)	Lot Area (sq. ft.)	Lot Frontage (ft.)	Front Yard Depth (ft.)	Side Yards		Rear Yard Depth (ft.)
				Least Width (ft.)	Sum of Width (ft.)	
1	9,000	75	30	7	15	30
2	9,000	75	30	8	20	30

1137.03 YARD MODIFICATIONS.

(a) Average Depth of Front Yards. In any R District, where the average depth of at least two existing front yards on lots within 100 feet of the lot in question and within the same block front is less or greater than the least front yard depth prescribed elsewhere in this chapter, the required depth of the front yard on such lot shall be modified. In such case, this shall not be less than the average depth of the existing front yards on the two lots immediately adjoining, provided however, that the depth of a front yard on any lot shall be at least ten feet and need not exceed fifty feet.

Staff Analysis

Flood Elevation Variance Request

The applicant/owner is seeking to demolish the existing home and rebuild. The home was built in 1968 and the entire parcel, and in fact most of the properties on this private dead-end road, are located within an AE Floodway.

The owners/applicants have met with staff from Zoning, Building and Engineering Departments over the past year to review all the regulations that each type of application requires when building within a floodway. Chapter 1135 outlines the extensive Flood Hazard related applications and plans required (Flood Hazard Area Development Application, FEMA Elevation Certificate, Hydrologic & Hydraulic Analysis, and No Rise Certificate) when building within this zone; these are in addition to the Zoning Application and Building Applications and plans which also have regulations for specific construction when building within a floodway. Many of the regulations in the various applications cross departments, so comprehensive internal reviews have been ongoing with the property owners, contractor, and their engineering firm.

The Base Flood Elevation (BFE) for 103 Wheeler Drive = 578.00.

The Flood Protection Elevation (FPE) for 103 Wheeler Drive is established as follows:

- FEMA Requirement: BFE plus one foot = 579.00
- City Code Section 1135.04: BFE plus two feet = 580.00

*Lowest floor elevation must be at or above the FPE elevation.

As proposed, the Lowest Floor Elevation (579.00), on the applicants Flood Hazard Area Development Permit, is below what is required by Chapter 1135 as the FPE is the base flood elevation plus two (2) feet which is 580.

The FEMA National Flood Insurance Program (NFIP) minimum standards require that the FPE is to be no less than 1' above the BFE, Code Section 1135.05 gives the BZA the authority to issue a 1'

variance to the FPE *city requirement* of 2' above the BFE, which will provide relief, and yet still provide for compliance with the FEMA regulations.

Flood protection elevations are created to minimize risk to individual structures by providing at least 1' (federal min.) of "Freeboard" elevation. This freeboard is a type of safety factor meant to reduce the risk to a structure during a flood caused by things like wave action in the flood waters, ice jams, and debris that can be washed up during a flood event. The reduction of the FPE from the 2' required by the City Code to the 1' Federal Standard reduces this safety factor for this particular home, but does not cause added risk to surrounding homes in the event of a flood. The City Engineer will be in attendance to review this variance request and answer questions the Board may have.

Area Variance- Front Yard Setback

As proposed, the new home will have a setback of 55' from the property line. The parcel is subject to the mandatory averaging in Section 1137.03. The applicants site plan provides the distances of the two abutting neighbors (51' and 84') for an average of 67.5'. However, the code goes on to stipulate minimum setbacks at 10' and max of 50'. Therefore, Zoning can grant approval at a setback of 50'. This area is unique as the front property lines are across the private roadway and the abutting homes do not comply with the maximum 50' setback. The applicant/owners are seeking a 5' front yard setback variance, advising that a setback at 50' would limit accessibility and access to the garage, affect maneuverability on this private street, and would not conform in appearance to the existing setbacks on the street.

As proposed, the following variances are required:

- A 1' variance to Section 1135.04 (D) (4) – to allow for a Base Flood Elevation (BFE) plus one (1) foot, matching the FEMA Requirement.
- A 5' Front Yard Setback Variance to Section 1137.03 waiving the 50' max front yard setback to allow for a setback of 55'.

Motion Examples

[PLEASE STATE WHY YOU ARE APPROVING OR DENYING FOR THE RECORD, USING THE SEVEN WAY TEST CRITERIA]

Motion to **APPROVE** the area variance request:

I make the motion to **approve** the request for an area variance at 103 Wheeler Drive for a 1' variance to Section 1135.04 (d) (4) to allow for a Base Flood Elevation(BFE) plus one (1) foot, matching the FEMA Requirement and a 5' front yard setback variance for a new home, as submitted, as the testimony presented in this public hearing has shown that ***(Choose one or more appropriate finding(s) and specific items based on the seven-way test & criteria within Chapter 1135)***

- ***The property in question would not yield a reasonable return or would not have any beneficial use without the variance.***
- ***The variance is not substantial.***
- ***The essential character of the neighborhood would not be substantially altered and/or the adjoining properties would not suffer a substantial detriment as a result of the variance.***

- *The variance would not adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- *The property owner purchased the property without the knowledge of the zoning restriction and/or the need for the variance is not "self-imposed." (The owner did not create the situation)*
- *The property owner's predicament feasibly cannot be obviated through some method other than a variance.*
- *The spirit and intent behind the zoning requirement would be observed, substantial justice done by granting the variance.*

CHAPTER 1135

- *A showing of good and sufficient cause.*
- *A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property.*
- *A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws.*
- *A determination that the structure or other development is protected by methods to minimize flood damages.*
- *A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.*

OR

Motion to **DENY** the variance request:

I make the motion to **deny** the request for area variances at 103 Wheeler Drive for a 1' variance to Section 1135.04 (d) (4) to allow for a Base Flood Elevation(BFE) plus one (1) foot, matching the FEMA Requirement, and a 5' front yard setback variance for a new home, as sufficient testimony has **not** been presented in this public hearing that the requested variance meets the criteria set forth in the seven-way test as the:

(Choose one or more appropriate finding(s) and specific items based on the seven-way test)

- *The property in question would yield a reasonable return and/or would have beneficial use without the variance.*
- *The variance is substantial.*
- *The essential character of the neighborhood would be substantially altered and/or the adjoining properties would suffer a substantial detriment as a result of the variance.*
- *The variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).*
- *The property owner purchased the property with the knowledge of the zoning restriction and/or the need for the variance is "self-imposed." (The owner created the situation)*
- *The property owner's predicament feasibly cannot be obviated through some method other than a variance.*
- *The spirit and intent behind the zoning requirement would not be observed, substantial justice would not be done by granting the variance.*

CHAPTER 1135

- *There has not been a showing of good and sufficient cause.*
- *There has not been a determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property.*
- *There has not been a determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws.*
- *There has not been a determination that the structure or other development is protected by methods to minimize flood damages.*
- *There has not been a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.*

CHAPTER 1135

Flood Hazard Zoning/Flood Damage Reduction

1135.01 General provisions.

1135.02 Definitions.

1135.03 Administration.

1135.04 Use and development standards for flood hazard reduction.

1135.05 Appeals and variances.

1135.06 Enforcement.

CROSS REFERENCES

Flood control bonds; public capital improvements - see Ohio Const., Art. VIII, Sec.

21; Ohio R.C. 129.70 et seq.

County Commission flood control aid to governmental units - see Ohio R.C. 307.77

Basis of zoning districts - see Ohio R.C. 713.10

Marking flood areas - see Ohio R.C. 1521.14

1135.01 GENERAL PROVISIONS.

(a) Statutory Authorization. ARTICLE XVIII, Section 3, of the Ohio Constitution grants municipalities the legal authority to adopt land use and control measures for promoting the health, safety, and general welfare of its citizens. Therefore, the City Council of Huron, State of Ohio, does ordain as follows:

(b) Findings of Fact. The City of Huron has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, floodproofed, or otherwise protected from flood damage also contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes hereinafter set forth, these regulations are adopted.

(c) Statement of Purpose. It is the purpose of these regulations to promote the public health, safety and general welfare, and to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and
- (4) Generally undertaken at the expense of the general public;
- (5) Minimize prolonged business interruptions;
- (6) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- (7) Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize future flood blight areas;
- (8) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
- (9) Minimize the impact of development on adjacent properties within and near flood prone areas;
- (10) Ensure that the flood storage and conveyance functions of the floodplain are maintained;
- (11) Minimize the impact of development on the natural, beneficial values of the floodplain;
- (12) Prevent floodplain uses that are either hazardous or environmentally incompatible; and
- (13) Meet community participation requirements of the National Flood Insurance Program.

(d) Methods of Reducing Flood Loss. In order to accomplish its purposes, these regulations include methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and,
- (5) Preventing or regulating the construction of flood barriers, which will unnaturally divert flood, waters or which may increase flood hazards in other areas.

(e) Lands to Which These Regulations Apply. These regulations shall apply to all areas of special flood hazard within the jurisdiction of the City of Huron as identified in Section 1135.01(f), including any additional areas of special flood hazard annexed by the City of Huron.

(f) Basis for Establishing the Areas of Special Flood Hazard. For the purposes of these regulations, the following studies and/or maps are adopted:

- (1) Flood Insurance Study Erie County, Ohio and Incorporated Areas, and Flood Insurance Rate Map Erie County, Ohio and Incorporated Areas, both effective September 1, 2022.
- (2) Other studies and/or maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard.
- (3) Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which

has been approved by the City of Huron as required by Section 1135.04(c) Subdivisions and Other New Developments.

Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the City of Huron Planning and Zoning Department, 417 Main Street, Huron, Ohio.

(g) **Abrogation and Greater Restrictions.** These regulations are not intended to repeal any existing ordinances including subdivision regulations, zoning or building codes. In the event of a conflict between these regulations and any other ordinance the more restrictive shall be followed. These regulations are not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(h) **Interpretation.** Within the interpretation and application of these regulations, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes. Where a provision of these regulations may be in conflict with a state or Federal law, such state or Federal law shall take precedence over these regulations.

(i) **Warning and Disclaimer of Liability.** The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of the City of Huron, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made thereunder.

(j) **Severability.** Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid. (Ord. 2022-32. Passed 7-26-22.)

1135.02 DEFINITIONS.

Unless specifically defined below, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations the most reasonable application.

Accessory Structure

A structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.

Appeal

A request for review of the floodplain administrator's interpretation of any provision of these regulations or a request for a variance.

Base Flood

The flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the one percent (1%) chance annual flood or one hundred (100) year flood.

Base (100-Year) Flood Elevation (BFE)

The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). In Zone AO areas, the base flood elevation is the lowest adjacent natural grade elevation plus the depth number (from 1 to 3 feet).

Basement

Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway wall

A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Coastal high hazard area

An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms or seismic sources. A coastal high hazard area is identified on a community's FIRM by the designation of zone VE.

Conservation Easement

A legally binding document recorded with the intent to preserve land for future generations by restricting or conditioning certain rights or uses, such as the right to subdivide or develop the property, to protect conservation values, such as the preservation of agricultural and forestry lands and the protection of water quality.

Development

Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Enclosure Below the Lowest Floor

See "Lowest Floor."

Executive Order 11988 (Floodplain Management)

Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

Federal Emergency Management Agency (FEMA)

The agency with the overall responsibility for administering the National Flood Insurance Program.

Fill

A deposit of earth material placed by artificial means.

Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters, and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM)

Usually the initial map, produced by the Federal Emergency Management Agency, or U.S. Department of Housing and Urban Development, for a community depicting approximate special flood hazard areas.

Flood Insurance Rate Map (FIRM)

An official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.

Flood Insurance Risk Zones

Zone designations on FHBMs and FIRMs that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions:

Zone A:

Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are not determined.

Zones A1-30 and Zone AE:

Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are determined.

Zone AO:

Special flood hazard areas inundated by the 100-year flood in any given year; with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths are determined.

Zone AH:

Special flood hazard areas inundated by the 100-year flood in any given year; flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations are determined.

Zone A99:

Special flood hazard areas inundated by the 100-year flood to be protected from the 100-year flood by a Federal flood protection system under construction; no base flood elevations are determined.

Zone B and Zone X (shaded):

Areas of 500-year flood; areas subject to the 100-year flood with average depths of less than 1 foot or with contributing drainage area less than 1 square mile; and areas protected by levees from the base flood.

Zone C and Zone X (unshaded):

Areas determined to be outside the 500-year floodplain.

Zone V

Coastal special flood hazard area subject to a 100-year flood from velocity hazard (wave action); base flood elevations are not determined.

Zone VE and V1-30

Coastal special flood hazard area subject to a 100-year from velocity hazard (wave action); base flood elevations are determined.

Flood Insurance Study (FIS)

The official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on Flood Boundary and Floodway Maps), and the water surface elevations of the base flood.

Floodproofing

Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood Protection Elevation

The Flood Protection Elevation, or FPE, is the base flood elevation plus two (2) feet of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations, or base flood elevations determined and/or approved by the floodplain administrator.

Floodway

A floodway is the channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one-half (0.5) foot at any point within the community.

The floodway is an extremely hazardous area, and is usually characterized by any of the following: Moderate to high velocity flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.

Freeboard

A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effect of urbanization in a watershed.

Historic structure

Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or

preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;

- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
- (3) Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office.
- (4) Individually listed on the inventory of historic places maintained by Huron's historic preservation program, which program is certified by the Ohio Historic Preservation Office.

Hydrologic and hydraulic engineering analysis

An analysis performed by a professional engineer, registered in the State of Ohio, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.

Letter of Map Change (LOMC)

A Letter of Map Change is an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMCs are broken down into the following categories:

Letter of Map Amendment (LOMA)

A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.

Letter of Map Revision (LOMR)

A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.

Conditional Letter of Map Revision (CLOMR)

A comment by FEMA regarding a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area. A CLOMR does not amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

Limit of Moderate Wave Action (LiMWA)

A line shown on a Flood Insurance Rate Map to indicate the inland limit of the one and one-half (1.5) feet breaking wave height during the base flood.

Lowest floor

The lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an "enclosure below the lowest floor" which is an unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations for enclosures below the lowest floor.

Manufactured home

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". For the purposes of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Chapter 4781 of the Ohio Revised Code.

Mean sea level

For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Manufactured home park

As specified in the Ohio Adm. Code 4781-12-01(K), a manufactured home park means any tract of land upon which three or more manufactured homes, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. Manufactured home park does not include any tract of land used solely for the storage or display for sale of manufactured homes.

Moderate Wave Action Area (MoWA)

A special flood hazard area subject to the potential for breaking wave heights of greater than or equal to one and one-half (1.5) feet, but less than three (3) feet, where the primary source of flooding is storm surges, seiches. A MoWA is an area within zone AE on a FIRM that is between the inland limit of zone VE and a Limit of Moderate Wave Action, where identified. (Also known as "Coastal A Zone").

National Flood Insurance Program (NFIP)

The NFIP is a Federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the Federal government that states if a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the Federal government will make flood insurance available within the community as a financial protection against flood loss.

New construction

Structures for which the "start of construction" commenced on or after the effective date of a floodplain regulation adopted by the City of Huron and includes any subsequent improvements to such structures.

For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM April 3, 1978 or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

Person

Includes any individual or group of individuals, corporation, partnership, association, or any other entity, including state and local governments and agencies. An agency is further defined in the Ohio Rev. Code 111.15(A)(2) as any governmental entity of the state and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, state college or university, community college district, technical college district, or state community college. "Agency" does not include the general assembly, the controlling board, the adjutant general's department, or any court.

Recreational vehicle

A vehicle which is (1) built on a single chassis, (2) 400 square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light duty truck, and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Registered Professional Architect

A person registered to engage in the practice of architecture pursuant to Ohio Rev. Code 4703.01 and 4703.19.

Registered Professional Engineer

A person registered as a professional engineer pursuant to Ohio Rev. Code Chapter 4733.

Registered Professional Surveyor

A person registered as a professional surveyor pursuant to Ohio Rev. Code Chapter 4733.

Riparian Buffer

A riparian buffer is a vegetated area (usually forested) near a stream, which helps shade and partially protect a stream from the impact of adjacent land uses. Riparian buffers play a key role in enhancing water quality in associated streams, rivers, and lakes, thus providing environmental benefits.

Special Flood Hazard Area

Also known as "Areas of Special Flood Hazard", it is the land in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH, AO, A1 30, A99, or V, VE. Special flood hazard areas may also refer to areas that are flood prone and designated from other federal state or local sources of data including but not limited to historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.

Start of construction

The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.

Structure

A walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.

Substantial Damage

Damage of any origin sustained by a structure whereby the cost of restoring the structure to the 'before damaged' condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

Substantial damage also means flood related damage sustained by a structure on two (2) separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.

Substantial Improvement

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures, which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a "historic structure," provided that the alteration would not preclude the structure's continued designation as a "historic structure".

SWPPP

Stormwater Pollution Prevention Plan (SWPPP) is a site-specific, written document signed by a developer that (1) identifies all of the

activities and conditions at their site that could cause water pollution, and (2) details the steps the facility will take to prevent the discharge of any unpermitted pollution.

Variance

A grant of relief from the standards of these regulations.

Violation

The failure of a structure or other development to be fully compliant with these regulations.

(Ord. 2022-32. Passed 7-26-22.)

1135.03 ADMINISTRATION.

(a) Designation of the Floodplain Administrator. The Planning Director or their designee is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator.

(b) Duties and Responsibilities of the Floodplain Administrator. The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

- (1) Evaluate applications for permits to develop in special flood hazard areas.
- (2) Interpret floodplain boundaries and provide flood hazard and flood protection elevation information.
- (3) Issue permits to develop in special flood hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance.
- (4) Inspect buildings and lands to determine whether any violations of these regulations have been committed.
- (5) Make and permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, floodproofing certificates, VE-zone construction certifications, variances, and records of enforcement actions taken for violations of these regulations.
- (6) Enforce the provisions of these regulations.
- (7) Provide information, testimony, or other evidence as needed during variance hearings.
- (8) Coordinate map maintenance activities and FEMA follow-up.
- (9) Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of these regulations.

(c) Floodplain Development Permits. It shall be unlawful for any person to begin construction or other development activity including but not limited to filling, grading, construction, alteration, remodeling, or expanding any structure; or alteration of any watercourse wholly within, partially within or in contact with any identified special flood hazard area, as established in Section 1135.01(f), until a floodplain development permit is obtained from the Floodplain Administrator. Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of these regulations. No such permit shall be issued by the Floodplain Administrator until the requirements of these regulations have been met.

(d) Application Required. An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special flood hazard area. Such application shall be made by the owner of the property or his/her authorized agent, herein referred to as the applicant, prior to the actual commencement of such construction on a form furnished for that purpose. Where it is unclear whether a development site is in a special flood hazard area, the Floodplain Administrator may require an application for a floodplain development permit to determine the development's location. Such applications shall include, but not be limited to:

- (1) Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.
- (2) Elevation of the existing, natural ground where structures are proposed.
- (3) Elevation of the lowest floor, including basement, of all proposed structures.
- (4) Such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations.
- (5) Technical analyses conducted by the appropriate design professional registered in the State of Ohio and submitted with an application for a floodplain development permit when applicable:
 - A. Floodproofing certification for non-residential floodproofed structure as required in Section 1135.04(e).
 - B. Certification that fully enclosed areas below the lowest floor of a structure not meeting the design requirements of Section 1135.04(e) are designed to automatically equalize hydrostatic flood forces.
 - C. Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Section 1135.04(i)(3).
 - D. A hydrologic and hydraulic analysis demonstrating that the cumulative effect of proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood by more than one-half (0.5) foot in special flood hazard areas where the Federal Emergency Management Agency has provided base flood elevations but no floodway as required by Section 1135.04(i)(2).
 - E. A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway as required by Section 1135.04(i)(1).
 - F. Generation of base flood elevation(s) for subdivision and other new developments as required by Section 1135.04(c).
 - G. Certification of structural design and methods of construction for VE zone construction as required by Section 1135.04(j)(1).

- H. Certification of breakaway wall design, when applicable, as provided in Section 1135.04(j)(1)
- (6) A Floodplain Development Permit Application Fee set by the Schedule of Fees adopted by the City of Huron. The following applicable fees shall be included with the application as follow:
- A. Single-family residential lots - \$100.00
 - B. All other lots - \$300.00
- (e) Review and Approval of a Floodplain Development Permit Application.
- (1) Review.
- A. After receipt of a complete application, the Floodplain Administrator shall review the application to ensure that the standards of these regulations have been met. No floodplain development permit application shall be reviewed until all information required in subsection (d) has been received by the Floodplain Administrator.
 - B. The Floodplain Administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those federal, state or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including permits issued by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section 401 of the Clean Water Act.
- (2) Approval.
- A. Within thirty (30) days after the receipt of a complete application, the Floodplain Administrator shall either approve or disapprove the application. If the Floodplain Administrator is satisfied that the development proposed in the floodplain development application conforms to the requirements of this ordinance, the Floodplain Administrator shall issue the permit. All floodplain development permits shall be conditional upon the commencement of work within 180 days. A floodplain development permit shall expire 180 days after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion.
- (f) Inspections. The Floodplain Administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.
- (g) Post-Construction Certifications Required. The following as-built certifications are required after a floodplain development permit has been issued:
- (1) For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a Federal Emergency Management Agency Elevation Certificate completed by a registered professional surveyor to record as-built elevation data. For elevated structures in Zone A and Zone AO areas without a base flood elevation, the elevation certificate may be completed by the property owner or owner's representative.
 - (2) For all development activities subject to the standards of Section 1135.03(k)(1) a Letter of Map Revision.
 - (3) For new or substantially improved nonresidential structures that have been floodproofed in lieu of elevation, where allowed, the applicant shall supply a completed Floodproofing Certificate for Non-Residential Structures completed by a registered professional engineer or architect together with associated documentation.
- (h) Revoking a Floodplain Development Permit. A floodplain development permit shall be revocable, if among other things, the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of the revocation of a permit, an appeal may be taken to the Appeals Board in accordance with Section 1135.05 of these regulations.
- (i) Exemption from Filing a Development Permit. An application for a floodplain development permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than two thousand five hundred dollars (\$2500).
- (j) State and Federal Development.
- (1) Development that is funded, financed, undertaken, or preempted by state agencies shall comply with minimum NFIP criteria.
 - (2) Before awarding funding or financing or granting a license, permit, or other authorization for a development that is or is to be located within a 100-year floodplain, a state agency shall require the applicant to demonstrate to the satisfaction of the agency that the development will comply with minimum NFIP criteria and any applicable local floodplain management resolution or ordinance as required by Ohio Revised Code Section 1521.13. This includes, but is not limited to:
 - A. Development activities in an existing or proposed manufactured home park that are under the authority of the Ohio Department of Commerce and subject to the flood damage reduction provisions of the Ohio Administrative Code Section 4781-12.
 - B. Major utility facilities permitted by the Ohio Power Siting Board under Section 4906 of the Ohio Revised Code.
 - C. Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under Section 3734 of the Ohio Revised Code.
 - D. Development activities undertaken by a federal agency and which are subject to Federal Executive Order 11988 - Floodplain Management.

Each federal agency has a responsibility to evaluate the potential effects of any actions it may take in a floodplain; to ensure that its planning programs and budget request reflect consideration of flood hazards and floodplain management; and to prescribe procedures to implement the policies and requirements of EO 11988.

(k) Map Maintenance Activities. To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that the City of Huron flood maps, studies and other data identified in Section 1135.01(f) accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance

activities are identified:

(1) Requirement to Submit New Technical Data.

- A. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA within six months of the date such information becomes available. These development proposals include:
1. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
 2. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;
 3. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
 4. Subdivision or other new development proposals requiring the establishment of base flood elevations in accordance with Section 1135.04(c).
- B. It is the responsibility of the applicant to have technical data, required in accordance with Section 1135.03(k)(1), prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.
- C. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
1. Proposed floodway encroachments that increase the base flood elevation; and
 2. Proposed development which increases the base flood elevation by more than one foot in riverine areas where FEMA has provided base flood elevations but no floodway.
- D. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 1135.03(k)(1)(A).

(2) Right to Submit New Technical Data. The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the City Manager of Huron and may be submitted at any time.

(3) Annexation/ Detachment. Upon occurrence, the Floodplain Administrator shall notify FEMA in writing whenever the boundaries of the City of Huron have been modified by annexation or the community has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the City of Huron's Flood Insurance Rate Map accurately represent the City of Huron boundaries, include within such notification a copy of a map of the City of Huron suitable for reproduction, clearly showing the new corporate limits or the new area for which the City of Huron has assumed or relinquished floodplain management regulatory authority.

(l) Data Use and Flood Map Interpretation. The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:

- (1) In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the Floodplain Administrator shall review and reasonably utilize any other flood hazard data available from a federal, state, or other source.
- (2) Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the Floodplain Administrator.
- (3) The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1135.05, Appeals and Variances.
- (4) Where an existing or proposed structure or other development is affected by multiple flood zones, by multiple base flood elevations, or both, the development activity must comply with the provisions of this ordinance applicable to the most restrictive flood zone and the highest base flood elevation affecting any part of the existing or proposed structure; or for other developments, affecting any part of the area of the development.

(m) Use of Preliminary Flood Insurance Rate Map and/or Flood Insurance Study Data.

(1) Zone A:

Within Zone A areas designated on an effective FIRM, data from the preliminary FIRM and/or FIS shall reasonably utilized as best available data.

When all appeals have been resolved and a notice of final food elevation determination has been provided in a Letter of Final Determination (LFD), BFE and floodway data from the preliminary FIRM and/or FIS shall be used for regulating development.

(2) Zones AE, A1-30, AH, AO, VE, and V1-30:

BFE and floodway data from a preliminary FIS or FIRM restudy are not required to be used in lieu of BFE and floodway data contained in an existing effective FIS and FIRM. However,

Where BFEs increase in a restudied area, communities have the responsibility to ensure that new or substantially improved structures are protected. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data in instances where BFEs increase and floodways are revised to ensure that the health, safety, and property of their

citizens are protected.

Where BFEs decrease, preliminary FIS or FIRM data should not be used to regulate floodplain development until the LFD has been issued or until all appeals have been resolved.

- (3) If a preliminary FIRM or FIS has designated floodways where none had previously existed, communities should reasonably utilize this data in lieu of applying the encroachment performance standard of Section 1135.04(i)(2) since the data in the draft or preliminary FIS represents the best data available.

(4) Zones B, C, and X:

Use of BFE and floodway data from a preliminary FIRM or FIS are not required for areas designated as Zone B, C, or X on the effective FIRM which are being revised to Zone AE, A1-30, AH, AO, VE, or V1-30. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data to ensure that the health, safety, and property of their citizens are protected.

- (n) Substantial Damage Determinations. Damages to structures may result from a variety of causes including flood, tornado, wind, heavy snow, fire, etc. After such a damage event, the Floodplain Administrator shall:

- (1) Determine whether damaged structures are located in special flood hazard areas;
- (2) Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and
- (3) Require owners of substantially damaged structures to obtain a floodplain development permit prior to repair, rehabilitation, or reconstruction.
- (4) Additionally, the Floodplain Administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assist owners of substantially damaged structures with Increased Cost of Compliance insurance claims.

(Ord. 2022-32. Passed 7-26-22.)

1135.04 USE AND DEVELOPMENT STANDARDS FOR FLOOD HAZARD REDUCTION.

The following use and development standards apply to development wholly within, partially within, or in contact with any special flood hazard area as established in Section 1135.01(f), 1135.03(l)(1), or 1135.03(m):

(a) Use Regulations.

- (1) Permitted Uses. All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by the City of Huron are allowed provided they meet the provisions of these regulations.

(b) Water and Wastewater Systems. The following standards apply to all water supply, sanitary sewerage and waste disposal systems in the absence of any more restrictive standard provided under the Ohio Revised Code or applicable state rules:

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;
- (2) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- (3) On-site waste disposal systems (septic systems) shall be located to avoid impairment to or contamination from them during flooding.

(c) Subdivisions and Other New Developments.

- (1) All subdivision proposals and all other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
- (2) All subdivision proposals and all other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- (3) All subdivision proposals and all other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and
- (4) In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least fifty (50) lots or five (5) acres, whichever is less.
- (5) The applicant shall meet the requirement to submit technical data to FEMA in Section 1135.03(k)(1)(A)(d) when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Section 1135.04(c)(4).

(d) Residential Structures. The requirements of Section 1135.04(d) apply to new construction of residential structures and to substantial improvements of residential structures in zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1135.03(m).

- (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring (Section 1135.04(d)(1)) and construction materials resistant to flood damage (Section 1135.04(d)(2)) are satisfied.
- (2) New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.
- (3) New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air

conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

- (4) New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation. In areas with no elevations specified, the structure shall have the lowest floor, including basement, elevated at least two (2) feet above the highest adjacent natural grade.
- (5) New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings to allow the automatic equalization of hydrostatic pressure may have an enclosure below the lowest floor provided the enclosure meets the following standards:
 - A. Be used only for the parking of vehicles, building access, or storage; and
 - B. Be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
 - C. Have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (6) Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors.
- (7) 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 is the minimum necessary to preserve the historic character and design of the structure, shall be exempt from the development standards of Section 1135.04(d).
- (8) In AO and AH Zones, new construction and substantial improvement shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.
- (e) Nonresidential Structures. The requirements of Section 1135.04(e) apply to new construction and to substantial improvements of nonresidential structures in zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1135.03(m).
 - (1) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of Section 1135.04(d)(1) - (3) and (5)-(7).
 - (2) New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, shall meet all of the following standards:
 - A. Be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
 - B. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
 - C. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Section 1135.04(e)(2)(A) and (B).
 - (3) In areas with no elevations specified, the structure shall have the lowest floor, including basement, elevated at least two (2) feet above the highest adjacent natural grade.
- (f) Accessory Structures. Structures that are 600 square feet or less which are used for parking and storage only are exempt from elevation or dry floodproofing standards within zones A, A1-30, AE, AO, and AH designated on the community's FIRM. Such structures must meet the following standards:
 - (1) They shall not be used for human habitation;
 - (2) They shall be constructed of flood resistant materials;
 - (3) They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
 - (4) They shall be firmly anchored to prevent flotation;
 - (5) Service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the level of the flood protection elevation; and
 - (6) They shall meet the opening requirements of Section 1135.04(d)(5)(C)
- (g) Recreational Vehicles. Recreational vehicles on sites within zones A, A1-A30, AE, AO, or AH must meet at least one of the following standards:
 - (1) They shall not be located on sites in special flood hazard areas for more than 180 days, or
 - (2) They must be fully licensed and ready for highway use, or
 - (3) They must be placed on the site pursuant to a floodplain development permit issued under Sections 1135.03(c) and (d), and meet all standards of Section 1135.04(d).
- (h) Gas or Liquid Storage Tanks.
 - (1) Within zone A, A1-A30, AE, AO, or AH, new or substantially improved above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.
 - (2) In zones V or VE, new or substantially improved above ground gas or liquid storage tanks shall be elevated with the bottom of

the lowest horizontal supporting member above BFE on the landward side of buildings.

- (3) In zones V or VE, new or substantially improved underground gas or liquid storage tanks must be installed below the lowest eroded ground elevation.
- (i) Assurance of Flood Carrying Capacity. Pursuant to the purpose and methods of reducing flood damage stated in these regulations, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized:
- (1) Development in Floodways.
- A. In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or
- B. Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant:
1. Meet the requirements to submit technical data in Section 1135.03(k)(1);
 2. An evaluation of alternatives, which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
 3. Certification that no structures are located in areas that would be impacted by the increased base flood elevation;
 4. Documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and
 5. Concurrence of the City Manager of Huron and the Chief Executive Officer of any other communities impacted by the proposed actions.
- (2) Development in Riverine Areas with Base Flood Elevations but No Floodways.
- A. In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than one-half (0.5) foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or,
- B. Development in riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than one foot increase in the base flood elevation may be permitted provided all of the following are completed by the applicant:
1. An evaluation of alternatives which would result in an increase of one foot or less of the base flood elevation and an explanation why these alternatives are not feasible;
 2. Section 1135.04(i)(1)(B), items (a) and (c)-(e).
- (3) Alterations of a Watercourse. For the purpose of these regulations, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the "bankfull stage." The field determination of "bankfull stage" shall be based on methods presented in Chapter 7 of the USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique or other applicable publication available from a Federal, State, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:
- A. The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.
- B. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.
- C. The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with the City of Huron specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.
- D. The applicant shall meet the requirements to submit technical data in Section 1135.03(k)(1)(A) when an alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.
- (j) Development Standards for Coastal High Hazard Areas [and MoWA areas]. The requirements of Section 1135.04(j) apply to development in coastal high hazard areas designated zone V or VE on the community's effective FIRM and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1135.03(m). The requirements of Section 1135.04(j) also apply to development in Moderate Wave Action areas, within zone AE between a Limit of Moderate Wave Action and the landward limit of zone V or VE designated on the community's effective FIRM, or between a Limit of Moderate Wave Action and the offshore limit of the community's jurisdiction where zone V or VE

is not designated on the community's effective FIRM.

- (1) All new construction and substantial improvements shall be elevated on pilings or columns that may be armored as necessary to withstand Lake Erie ice forces so that:
 - A. The bottom of the lowest horizontal structural member supporting the lowest floor (excluding the pilings or columns) is elevated to or above the flood protection elevation, and
 - B. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.
 1. Water loading values shall be those associated with the base flood.
 2. Wind loading values shall be those defined according to American Society of Civil Engineers 7-13 Minimum design loads and associated criteria for buildings and other structures, or current version adopted by Ohio Board of Building Standards.
 3. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Section 1135.04(j)(1) (A) and (B).
- (2) All new construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.
 - A. For the purpose of Section 1135.04(j)(2), a breakaway wall shall have a design safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot.
 - B. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by design or where so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet all of the following conditions:
 1. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
 2. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values shall be those associated with the base flood. Wind loading values shall be those defined according to American Society of Civil Engineers 7-16 Minimum design loads and associated criteria for buildings and other structures, or equivalent standard.
 - C. All space enclosed by breakaway walls, open wood lattice-work, or insect screening below the lowest floor shall be used solely for parking of vehicles, building access, or storage.
- (3) The use of fill or redistributed existing fill, placed after the initial identification of Zones V, VE or V1-30 on the community's FIRM, for structural support of buildings is prohibited.
- (4) Alteration of sand dunes that will increase potential flood damage is prohibited.
- (5) Placement or substantial improvement of manufactured homes must comply with Section 1135.04(j)(1) through (5).
- (6) Recreational vehicles must either:
 - A. Be on site for fewer than 180 consecutive days;
 - B. Be fully licensed and ready for highway use; or
 - C. Comply with Section 1135.04(j)(1) through (5)
- (k) Riparian Buffer. For the purposes of flood damage prevention, erosion control, and stormwater management, a riparian buffer of a minimum of thirty (30) feet shall be maintained for all waterways identified as Special Flood Hazard Areas. The Riparian Buffer shall be preserved to the best extent possible by maintaining or improving the native vegetative landscape with little to no soil compaction. The requirements of Section 1135.04(k) apply to any construction and/or development adjacent to a floodway/waterway.
 - (1) Permitted construction activities/uses within the thirty (30) feet buffer shall include the following:
 - A. Roads, bridges, pedestrian paths, bicycle paths, multi-use paths, levees, and utilities
 1. The right-of-way shall be the minimum width need to allow for maintenance access and installation.
 2. The angle of a stream crossing shall be designed to minimize clearing within the buffer limits.
 3. When constructing, the area cleared shall be limited to the area required for construction and adequate maintenance access.
 - B. Stormwater management facilities.
 1. Stormwater detention and retention ponds shall be permitted to encroach the riparian buffer only after applicable city and county departments have determined that the stormwater management facilities are either necessary for flood control or significantly improve the water quality or habitat in the stream.
 2. When constructing stormwater management facilities within the riparian buffer, the cleared area shall be limited to only the area required for construction and adequate maintenance access shall be provided.
 3. Material dredged or otherwise removed from a stormwater management facility shall be permanently stored outside of the buffer area.
 - C. Waterway restoration projects, facilities, and related activities/uses.
 - D. Removal of individual damaged or diseased trees.
 - E. Other timber cutting techniques under the advice and guidance of Ohio Department of Natural Resources (ODNR) Division of

Forestry if necessary to preserve the buffer forest from extensive pest infestation, disease infestation, or threat from fire.

- F. Reforestation when deemed necessary by ODNR Division of Forestry to ensure the preservation and propagation of the buffer area.
 - G. Fencing provided that destruction of existing vegetation is minimal and that it does not impede flood water flow.
 - H. Marinas developed in accordance with the following requirements:
 - 1. Submission of an environmental impact study including measures to mitigate potential negative impact on the adjacent waters, including but not limited to: i. Measures to prevent leakage or spills of fuels, lubricants, wastewater and other potential pollutants into the public waters; ii. Assurances that impact on wetlands and other related sensitive areas have been avoided.
 - 2. Submission of a site plan, that is consistent with local regulations, for review by the planning board which includes locations of rest rooms, buildings, parking areas and all related support facilities with assurances that these facilities shall be permanently available to the project.
 - 3. Receipt of proper permits from Ohio Department of Natural Resources (ODNR) and/or the Army Corp of Engineers if applicable
 - I. Water dependent uses and structures including, but not limited to docks, wharves, boat ramps, etc. All water dependent uses and structures shall be permitted in accordance with the following requirements:
 - 1. The use is in keeping with the purpose and intent of this chapter.
 - 2. The least impacting route and methodology for the use have been selected as the best practicable alternative.
 - 3. Canopies and seasonal covers extend only over the boat slips and shall be removed during the non-boating season.
 - 4. Receipt of proper permits from Ohio Department of Natural Resources (ODNR) and/or the Army Corp of Engineers if applicable
- (2) Restricted construction activities/uses within the thirty (30) feet buffer shall include the following:
- A. Construction of buildings or principal structures.
 - B. In-line storm water detention facilities.
 - C. Clearing of existing vegetation, except as otherwise permitted in these regulations.
 - D. Soil disturbance by grading, stripping, or other practices.
 - E. Filling or dumping.
 - F. Use, storage, or application of pesticides, except for spot spraying of noxious weeds or non-native species consistent with recommendations of ODNR.
 - G. Storage of equipment, junk, or scraps.
 - H. Storage or operation of motorized vehicles, except for maintenance and emergency use approved by the City of Huron Planning Department.
- (3) Exceptions and Nonconforming Structures.
- A. All existing structures/features permitted within the buffer area before or at the time of adoption of this section are permitted to remain as nonconforming structures.
 - B. Any nonconforming building or structure that has been damaged by natural elements, may be restored, but not to an extent greater than the original floor area which existed at the time of the damage.
 - C. Any nonconforming building or structure may be maintained, repaired, or altered as long as activities conform to the requirements of this section and requirements of this Flood Damage Reduction Ordinance.
 - D. A nonconforming structure shall not be extended or enlarged, except in conformity with this section or when required to do so by law or ordinance or when the change does not compound the existing violation.
 - E. A nonconforming structure shall not be moved in whole or in part to any other location within the Riparian Buffer area.
 - F. All nonconforming buildings and structures must still meet all other requirements as detailed in this Flood Damage Reduction Ordinance.
 - G. Agricultural cultivation or silviculture operations.
 - H. Upon adoption, should Section 1135.04(k) cause any undue hardship, rendering a parcel completely unbuildable, Planning Department staff will determine any adjustments to the buffer area required for construction.
- (4) Riparian Buffer Conservation Easement Requirement for Subdivisions.
- A. All Special Flood Hazard Areas (SFHA's) and Riparian Buffer areas for parcels subdivided after the adoption of this section shall be upheld through a Conservation Easement which is required to be submitted for approval by the Planning and Zoning Department. The Conservation Easement shall ensure the purpose of designating the Premises as a conservation area and to ensure a portion of the Premises is constructed as a wetland and preserved to be protected in a natural, scenic, aquatic, open and wooded condition, as suitable habitat for wild flora and fauna of all types, and is maintained in a natural and undisturbed state, that is subject to certain federal and state laws and regulations due to the presence of waters of the United States located thereon, and allowing for the adoption and recordation of a Declaration of Conservation Easement or like instrument as an encumbrance to the Premises, which shall be recorded in the land records and shall continue in perpetuity.
 - B. The extent of the Special Flood Hazard Area and Riparian Buffer shall be clearly delineated on the preliminary plat, stormwater conservation plan, and final plat. Other requirements to be shown include the following:
 - 1. Extent of any Riparian Buffer on the subject property

2. Labels indicating the Riparian Buffer area and SFHA
 3. Provide a note to reference any Conservation Easement governing all Riparian Buffer areas stating: "The Conservation Easement shown hereon restricts disturbance and use of the area pursuant to Section 1135.04 of the Flood Damage Reduction Ordinance. There shall be no clearing, grading, construction, filling, or disturbance of existing vegetation except as approved by Engineering and Planning Departments.
- C. Temporary boundary markers shall be installed by the owner/operator along the perimeter of the Riparian Buffer prior to final approval of any required Stormwater Pollution Prevention Plan (SWPPP).
- (Ord. 2022-32. Passed 7-26-22.)

1135.05 APPEALS AND VARIANCES.

(a) Appeals Board Established.

- (1) The Board of Building and Zoning Appeals of the City of Huron shall hear and decide any and all appeals or variances from these regulations.
- (2) The Appeals Board shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of all official actions. Records of the Appeals Board shall be kept and filed in the City of Huron Planning and Zoning Department, 417 Main Street, Huron, Ohio.

(b) Powers and Duties.

- (1) The Appeals Board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Floodplain Administrator in the administration or enforcement of these regulations.
- (2) Authorize variances in accordance with Section 1135.05(d) of these regulations.

(c) Appeals. Any person affected by any notice and order, or other official action of the Floodplain Administrator may request and shall be granted a hearing on the matter before the Appeals Board provided that such person shall file, within five (5) days of the date of such notice and order, or other official action, a brief statement of the grounds for such hearing or for the mitigation of any item appearing on any order of the Floodplain Administrator's decision. Such appeal shall be in writing, signed by the applicant, and be filed with the Floodplain Administrator. Upon receipt of the appeal, the Floodplain Administrator shall transmit said notice and all pertinent information on which the Floodplain Administrator's decision was made to the Appeals Board.

Upon receipt of the notice of appeal, the Appeals Board shall fix a reasonable time for the appeal, give notice in writing to parties in interest, and decide the appeal within a reasonable time after it is submitted.

(d) Variances. Any person believing that the use and development standards of these regulations would result in unnecessary hardship may file an application for a variance. The Appeals Board shall have the power to authorize, in specific cases, such variances from the standards of these regulations, not inconsistent with Federal regulations, as will not be contrary to the public interest where, owing to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary hardship.

(1) Application for a Variance.

- A. Any owner, or agent thereof, of property for which a variance is sought shall make an application for a variance by filing it with the Floodplain Administrator, who upon receipt of the variance shall transmit it to the Appeals Board.
- B. Such application at a minimum shall contain the following information: Name, address, and telephone number of the applicant; legal description of the property; parcel map; description of the existing use; description of the proposed use; location of the floodplain; description of the variance sought; and reason for the variance request.
- C. All applications for a floodplain variance shall be accompanied by the fee established by the City Council for appearances before the Board. The fee for a floodplain variance shall be three hundred dollars (\$300.00).

(2) Public Hearing. At such hearing the applicant shall present such statements and evidence as the Appeals Board requires. In considering such variance applications, the Appeals Board shall consider and make findings of fact on all evaluations, all relevant factors, standards specified in other sections of these regulations and the following factors:

- A. The danger that materials may be swept onto other lands to the injury of others.
- B. The danger to life and property due to flooding or erosion damage.
- C. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- D. The importance of the services provided by the proposed facility to the community.
- E. The availability of alternative locations for the proposed use that are not subject to flooding or erosion damage.
- F. The necessity to the facility of a waterfront location, where applicable.
- G. The compatibility of the proposed use with existing and anticipated development.
- H. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
- I. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- J. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
- K. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(3) Variances shall only be issued upon:

- A. A showing of good and sufficient cause.
- B. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not

constitute an exceptional hardship to the applicant.

- C. A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws.
- D. A determination that the structure or other development is protected by methods to minimize flood damages.
- E. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

Upon consideration of the above factors and the purposes of these regulations, the Appeals Board may attach such conditions to the granting of variances, as it deems necessary to further the purposes of these regulations.

(4) Other Conditions for Variances.

- A. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- B. Generally, variances may be issued 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 items in Section 1135.05(d) have been fully considered. As the lot size increases beyond one half acre, the technical justification required for issuing the variance increases.
- C. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(e) Procedure at Hearings.

- (1) All testimony shall be given under oath.
- (2) A complete record of the proceedings shall be kept, except confidential deliberations of the Board, but including all documents presented and a verbatim record of the testimony of all witnesses.
- (3) The applicant shall proceed first to present evidence and testimony in support of the appeal or variance.
- (4) The administrator may present evidence or testimony in opposition to the appeal or variance.
- (5) All witnesses shall be subject to cross-examination by the adverse party or their counsel.
- (6) Evidence that is not admitted may be proffered and shall become part of the record for appeal.
- (7) The Board shall issue subpoenas upon written request for the attendance of witnesses. A reasonable deposit to cover the cost of issuance and service shall be collected in advance.
- (8) The Board shall prepare conclusions of fact supporting its decision. The decision may be announced at the conclusion of the hearing and thereafter issued in writing or the decision may be issued in writing within a reasonable time after the hearing.

(f) Appeal to the Court. Those aggrieved by the decision of the Appeals Board may appeal such decision to the Erie County Court of Common Pleas, pursuant to Ohio Rev. Code Chapter 2506.

(Ord. 2022-32. Passed 7-26-22.)

1135.06 ENFORCEMENT.

(a) Compliance Required.

- (1) No structure or land shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of these regulations and all other applicable regulations which apply to uses within the jurisdiction of these regulations, unless specifically exempted from filing for a development permit as stated in Section 1135.03(i).
- (2) Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with Section 1135.06(c).
- (3) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Section 1135.06(c).

(b) Notice of Violation. Whenever the Floodplain Administrator determines that there has been a violation of any provision of these regulations, he shall give notice of such violation to the person responsible therefore and order compliance with these regulations as hereinafter provided. Such notice and order shall:

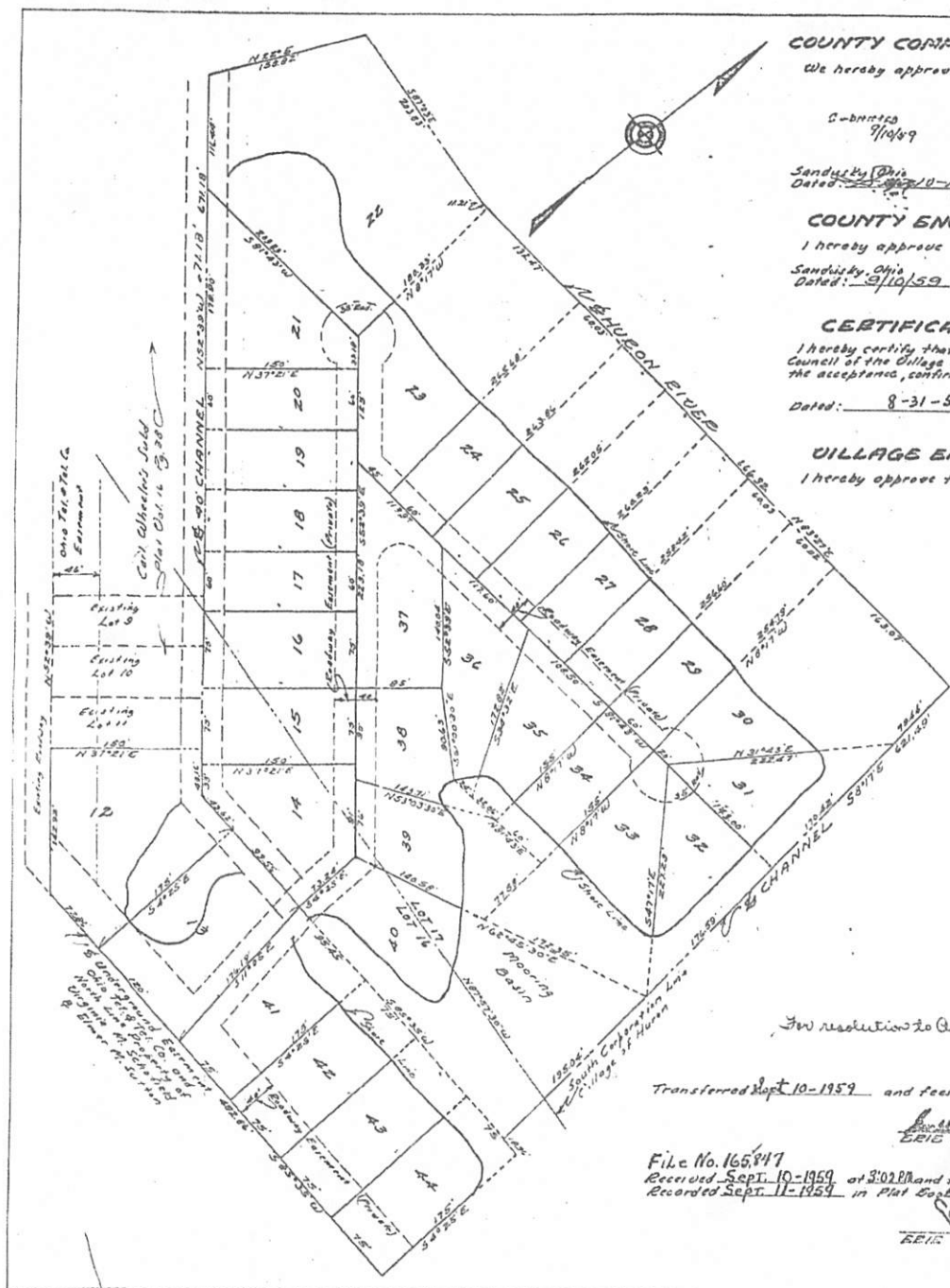
- (1) Be put in writing on an appropriate form;
- (2) Include a list of violations, referring to the section or sections of these regulations that have been violated, and order remedial action, which, if taken, will affect compliance with the provisions of these regulations;
- (3) Specify a reasonable time for performance;
- (4) Advise the owner, operator, or occupant of the right to appeal;
- (5) Be served on the owner, occupant, or agent in person. However, this notice and order shall be deemed to be properly served upon the owner, occupant, or agent if a copy thereof is sent by registered or certified mail to the person's last known mailing address, residence, or place of business, and/or a copy is posted in a conspicuous place in or on the dwelling affected.

(c) Violations and Penalties. Violation of the provisions of these regulations or failure to comply with any of its requirements shall be deemed to be a strict liability offense, and shall constitute a fourth degree (4th) misdemeanor. Any person who violates these regulations or fails to comply with any of its requirements shall upon conviction thereof be fined or imprisoned as provided by the laws of the City of Huron. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of

Huron from taking such other lawful action as is necessary to prevent or remedy any violation. The City of Huron shall prosecute any violation of these regulations in accordance with the penalties stated herein.

(Ord. 2022-32. Passed 7-26-22.)





COUNTY COMMISSIONER'S CERTIFICATE

We hereby approve the within plat.

Sanitary, Ohio
Dated: 9/10/59

E. J. Taylor
Frank J. Freeman

Sanitary, Ohio
Dated: 9/10/59

J. R. Cawkins

COUNTY ENGINEER'S CERTIFICATE

I hereby approve the within plat.

Sanitary, Ohio
Dated: 9/10/59

M. W. Ruckman
ERIE COUNTY ENGINEER

CERTIFICATE OF ACCEPTANCE

I hereby certify that Ordinance No. 428, was passed by the Council of the Village of Huron, Ohio, on 8-31-59, providing for the acceptance, confirmation and approval of the within plat.

Dated: 8-31-59

J. J. Ruckman
CLERK

VILLAGE ENGINEER'S CERTIFICATE

I hereby approve the within plat.

W. W. Ruckman
HURON VILLAGE ENGINEER

OWNER'S CERTIFICATE

We the undersigned Carl H. Wheeler and Lenora L. Wheeler, husband and wife, owners of the land embraced within the limits of the within plat, do hereby accept and adopt the same plat and reserve the channels, mooring basin and all waterways and roadway easements as shown on said plat to the use of the owners of the lots on said plat.

WITNESSES

SIGNATURES

Julia L. Old
Theresa E. Kraft

Carl H. Wheeler
Lenora L. Wheeler

STATE OF OHIO
COUNTY OF ERIE: SS

Before me, a notary public in and for said county, personally appeared the above named Carl H. Wheeler and Lenora L. Wheeler, husband and wife, and acknowledged the signing of the foregoing to be their free act and deed.

Signed and sealed this 27th day of July.
Julia L. Old
NOTARY PUBLIC
My commission expires

METES & BOUNDS DESCRIPTION

Being that part of Lots 16 & 17, Section 1, Huron Township and Huron Village, Erie County, Ohio, as follows:
Beginning at the southerly corner of Lot 11 of Carl H. Wheeler's Subdivision as recorded in Vol. 14, Page 38 of the Erie Co. Plat Book; then N 72° 25' E along the SE line of Lot 11 of said Subd., 150' to the centerline of a 40' channel; then N 82° 35' W, along said channel, 671.18' thence N 22° E, 152.82' to the centerline of the Huron River; thence along the centerline of the river, S 87° 03' S, 213.81' and N 82° 27' E, 66.82', then S 87° 03' S, 621.40', then N 82° 35' W, 14.91', then S 87° 03' S, 175' to the south line of the owner herein; then S 82° 35' W, along said south line the N 82° 02' then N 52° 33' W, 142.22' to the place of beginning and containing 12.61 acres of which 3.23 acres are in Huron Township and 9.381 acres are in Huron Village.

TOWNSHIP CERTIFICATE

We hereby approve the within plat.

Dated: 7-27-1959

Lyman H. Neal
TOWNSHIP INSPECTOR

SURVEYOR'S CERTIFICATE

I hereby certify that the within plat conforms to a survey made by me and is correct.

Paul W. Hamrick
Paul W. Hamrick Reg. Surveyor #4082

In resolution to Annexation to City of Huron. See Decd Vol. 364 Pg. 259.

Transferred Sept 10-1959 and fees of \$3.00 collected.

Paul W. Hamrick
ERIE COUNTY AUDITOR (S.H.)

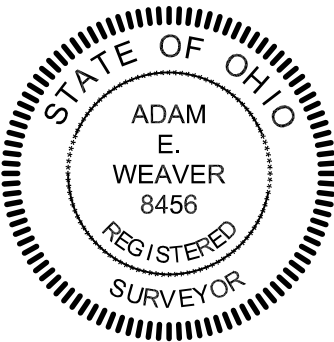
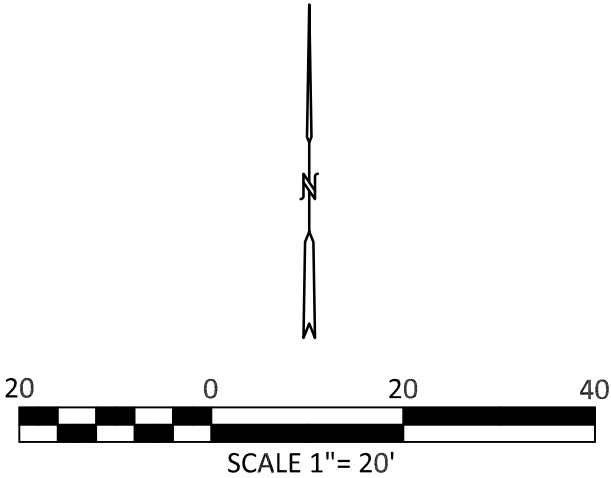
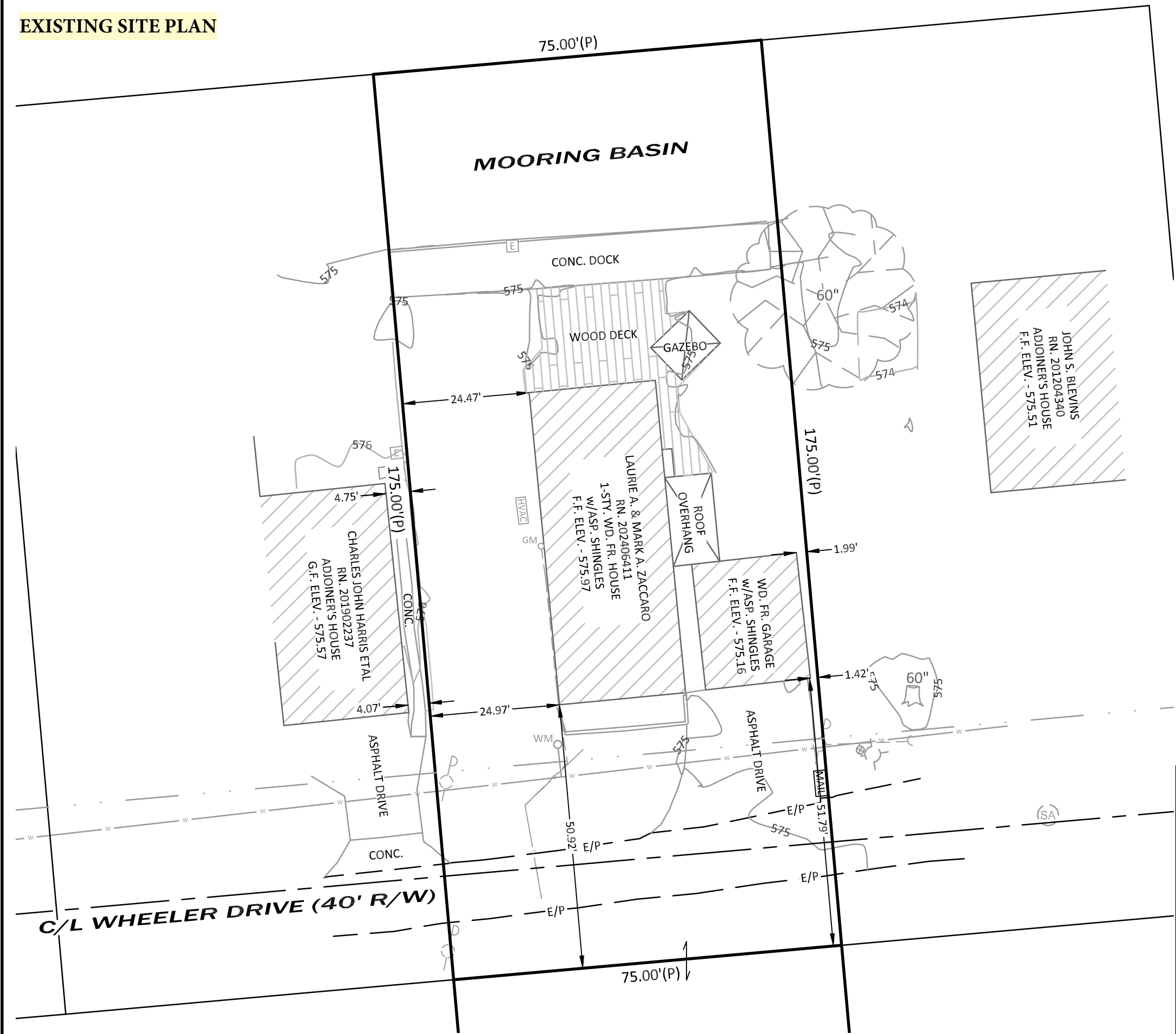
File No. 165847

Received Sept 10-1959 at \$102.00 and fees of \$1.00 collected.
Recorded Sept 11-1959 in Plat Book 14 Page 261.

Paul W. Hamrick
ERIE COUNTY RECORDER

PLAT
DW 334917
CARL H. WHEELER'S SUBDIVISION NO. 2
IN VILLAGE OF HURON, OHIO
AND HURON TOWNSHIP
PT. LOT 16 & 17, SECTION 1, HURON
TOWNSHIP, ERIE COUNTY, OHIO
JULY, 1959
SCALE 1"=60'

EXISTING SITE PLAN



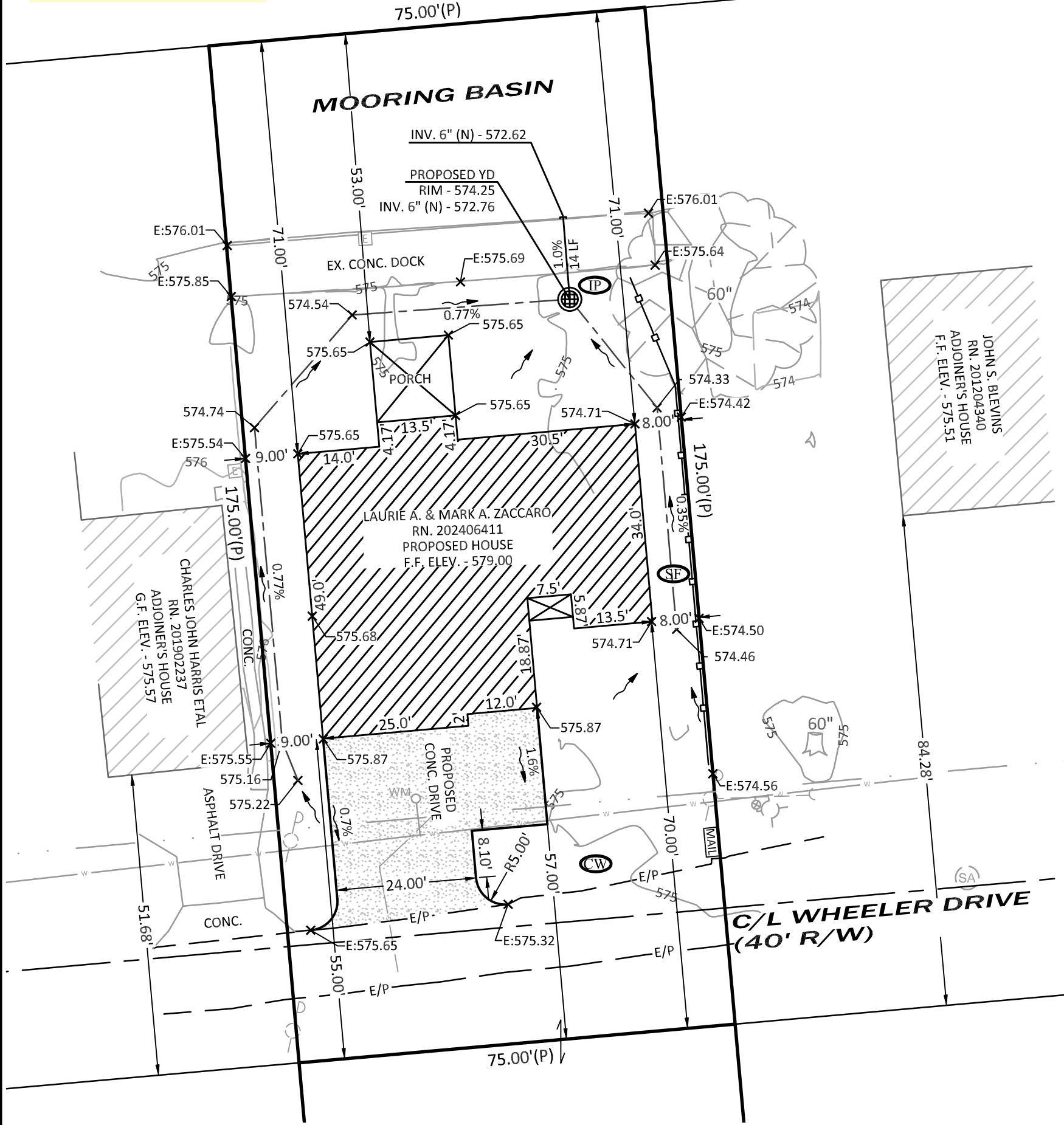
ZACCARO PROPOSED HOUSE SITE
EXISTING SITE & DEMOLITION PLAN
103 WHEELER DRIVE, HURON, OHIO

1
2

DESIGN CONTRACTORS
ENGINEERING
CONSULTING ENGINEERS & SURVEYORS
NORWALK, OHIO

DATE:	OCT., 2024	CK'D. BY:	AEW	PROJECT NO. 24-334
DR. BY:	HEC	REV'D BY:		

PROPOSED SITE PLAN

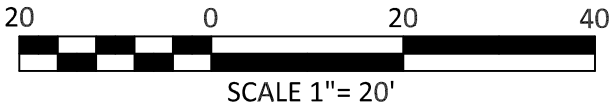


STORM WATER POLLUTION PREVENTION PLAN LEGEND

- CONCRETE WASHOUT
- CONSTRUCTION ENTRANCE
- SILT FENCE

PROPOSED GRADES

Finished Floor	579.00
Garage Floor	575.87
Top of Footer	571.37-572.04 (see building plans)



LEGEND

- EXISTING WATER LINE
- EXISTING STORM LINE
- EXISTING SANITARY LINE
- EXISTING OVERHEAD ELECTRIC
- EXISTING GAS LINE
- CENTERLINE
- RIGHT-OF-WAY
- EXISTING EDGE OF PAVEMENT
- EXISTING FENCE
- PROPOSED SANITARY CONNECTION
- PROPOSED STORM CONNECTION
- PROPOSED WATER CONNECTION
- PROPOSED UNDERGROUND ELECTRIC
- PROPOSED SILT FENCE
- EXISTING GRADE
- PROPOSED GRADE

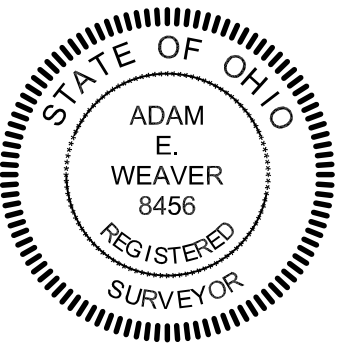
ZACCARO PROPOSED HOUSE SITE

PROPOSED SITE PLAN

103 WHEELER DRIVE, HURON, OHIO

DESIGN ENGINEERS
CONSULTING ENGINEERS & SURVEYORS
NORWALK, OHIO

DATE:	OCT., 2024	CK'D. BY:	AEW	PROJECT NO.
DR. BY:	HEC	REV'D BY:		24-334



103 Wheeler Dr, Huron, OH, 448 X

Show search results for 103 Wheeler ...

Zone AE

CITY OF HURON
ERIE COUNTY
390154

Zone AE

LIMIT OF
STUDY

577.6

P

578

39043C0231E
eff. 11/19/2014

CITY OF HURON

FLOOD HAZARD AREA DEVELOPMENT PERMIT APPLICATION

Application is hereby made for a DEVELOPMENT PERMIT as required by the Special Purpose Flood Damage Reduction Regulations No. _____ of _____ (village/city/county) for development in an identified flood hazard area. All activities shall be completed in accordance with the requirements of said regulations. The development to be performed is described below and in attachments hereto. The applicant understands and agrees that:

- The permit applied for, if granted, is issued on the representations made herein;
- Any permit issued may be revoked because of any breach of representation;
- Once a permit is revoked all work shall cease until the permit is reissued or a new permit is issued;
- Any permit issued on this application will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the ordinances, codes, or regulations of the municipality;
- The applicant hereby gives consent to the Floodplain Administrator to enter and inspect activity covered under the provisions of the floodplain regulations;
- If issued, the FHA Development Permit form will be posted in a conspicuous place on the premises in plain view; and,
- If issued, the permit will expire if no work is commenced within one year of issuance.

Owner's Name: Mark + Laurie Zaccaro Builder/Developer: Schumacher Homes

Address: 103 Wheeler Dr. Huron OH 44839 Address: 1895 Twp Rd 405 Jeromesville OH 44840

Phone: 330-416-5799 Phone: 567-335-0552

LOCATION OF DEVELOPMENT SITE

1. Location of proposed development site address: 103 Wheeler Dr. Huron OH 44839
2. Legal description: _____

Attach a location map showing the location of the development site relative to adjacent sites. A location map may be a copy of the tax or plat map, including scale, showing the parcel where development activity will occur.

DESCRIPTION OF WORK

3a. Kind of development proposed (check all that apply):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Residential structure | <input type="checkbox"/> Non-residential structure |
| <input checked="" type="checkbox"/> New structure | <input type="checkbox"/> New structure |
| <input type="checkbox"/> Addition to structure | <input type="checkbox"/> Addition to structure |
| <input type="checkbox"/> Renovations/repairs/maintenance | <input type="checkbox"/> Renovations/repairs/maintenance |
| <input type="checkbox"/> Manufactured home installation | |
| <input type="checkbox"/> Accessory structure: Dimensions: _____ | |
| <input type="checkbox"/> Filling or grading | <input type="checkbox"/> Dredging or excavation or mining |
| <input type="checkbox"/> Materials/equipment storage: Describe type _____ | |
| <input type="checkbox"/> Watercourse alteration (any change that occurs within the banks of a watercourse) | |
| <input type="checkbox"/> Water supply / sewage disposal | <input type="checkbox"/> Bridge or culvert placement / replacement |
| <input type="checkbox"/> Subdivision greater than 50 lots or 5 acres | <input type="checkbox"/> Other development greater than 5 acres |
| <input type="checkbox"/> Other: _____ | |

Additional activity description: Demo existing home, build new, single family residential home

- 3b. If the proposed construction is an addition, renovation, repair or maintenance to an existing structure, indicate the cost of proposed construction \$_____. What is the estimated market value of the existing structure \$_____?

CITY OF HURON

NOTES AND ADDITIONAL SUBMITTAL REQUIREMENTS:

- In addition to completion of this form the applicant agrees to submit any additional information required by the floodplain administrator in order to determine that the proposed development is compliant with the local and federal flood damage prevention criteria of the National Flood Insurance Program. Site plans for all development proposals must:
 - Be drawn to scale with north arrow.
 - Show property boundaries, floodway, and floodplain lines.
 - Show dimensions of the lot.
 - Show dimensions and location of existing and/or proposed development on the site.
 - Show areas to be cut and filled.
- Applications for residential and non-residential structures must also include:
 - The proposed lowest floor elevation based on the datum used on the effective Flood Insurance Rate Map and base flood elevation for the site.
 - Identification of whether the structure has a basement or enclosure below the lowest floor, and if it contains a basement or enclosure, detailed drawings showing foundation openings to allow passage of floodwaters.
 - Description of how building utilities will be protected from flood waters including drawings showing locations of such utilities.
 - Detailed description of anchoring system for all mobile and manufactured homes.
 - Description of construction materials that will be used below the flood protection elevation.
- An existing structure must comply with the flood protection standards if it is substantially improved (an improvement equal to or greater than 50% of the market value of the structure). The "substantial improvement" definition applies to existing structures only and that once a structure meets the definition of "new construction" any further improvements to that structure must meet "new construction" requirements. For floodplain management purposes "new construction" means structures for which "start of construction" began on or after the effective date of the initial Flood Insurance Rate Map issued by FEMA for the community.
- Any Pre-FIRM structure within the FHA that has sustained damage from any source (flood, fire, etc...) must be evaluated to determine if the structure is "substantially damaged" (damaged to 50% or more of the market value of the structure). If the structure is "substantially damaged, the structure must be brought into compliance with the flood protection standards.
- For subdivision proposals greater than 5 acres or 50 lots, or large-scale developments greater than 5 acres, a hydrologic and hydraulic analysis must be conducted to determine base flood elevations in flood hazard areas where no base flood elevations are provided.
- A Conditional Letter of Map Revision (CLOMR) must be obtained for proposed projects that would result in more than a 1.0 foot increase in BFE on a watercourse that has been studied through detailed hydrologic and hydraulic analyses where BFEs have been specified, but no floodway has been designated OR when a project proposed (totally or partially within the floodway) along a watercourse for which detailed analyses have been conducted and BFEs and a floodway have been designated would result in any (greater than 0.0 foot) increase in the BFE.
- Applications for non-residential structures proposed to be floodproofed must have a completed FEMA floodproofing certification form attached (can only be completed by a Registered Professional Engineer or Architect).
- All development proposals determined to be located in a floodway must be accompanied by a hydrologic and hydraulic analysis showing impacts on of the development on flood heights (can only be completed by a Registered Professional Engineer).
- Development proposals that are considered alterations of a watercourse must be accompanied by an analysis showing that the flood carrying capacity of the watercourse has not been reduced.

I AGREE THAT ALL STATEMENTS IN AND ATTACHMENTS TO THIS APPLICATION ARE A TRUE DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSED DEVELOPMENT ACTIVITY. I UNDERSTAND THE DEVELOPMENT REQUIREMENTS FOR SPECIAL FLOOD HAZARD AREA ACTIVITIES PER THE APPROPRIATE ORDINANCE OR RESOLUTION AND AGREE TO ABIDE THERETO. I UNDERSTAND IT IS MY RESPONSIBILITY TO OBTAIN ALL OTHER APPLICABLE FEDERAL, STATE AND LOCAL PERMITS.

Applicant's Signature: _____

Lorany Shambaugh

Date: _____

11, 6, 24

CITY OF HURON
FLOOD HAZARD AREA DEVELOPMENT PERMIT
ADMINISTRATIVE CHECKLIST

NOTE: The following is to be completed by the local floodplain administrator. All references to elevations are in feet mean sea level (m.s.l.) according to the datum used on the effective Flood Insurance Rate Maps.

1. The proposed development is in:

- ☒ An identified floodway.
Does a hydrologic and hydraulic engineering analysis accompany the application Y / N
Does the analysis have a certification that flood heights will not be increased Y / N
Is the analysis certified by a Registered Professional Engineer Y / N
- ☐ A flood hazard area where base flood elevations exist with no identified floodway.
Does a hydrologic and hydraulic engineering analysis accompany the application Y / N
Does the analysis have a certification that flood heights will be increased less than the height designated in the community's flood damage reduction regulations (in no case will this be more than one foot) Y / N
Is the analysis certified by a Registered Professional Engineer Y / N
- ☐ An area within the floodplain fringe.
- ☐ An approximate flood hazard area (Zone A).
- ☐ Within the banks of a watercourse.
Does an analysis demonstrating that the flood carrying capacity has not been diminished accompany the application Y / N

Base flood elevation (100-year) at proposed site 578.00 feet m.s.l.

Data source FIRM Map

Map effective date 09-01-2022 Community-Panel No. 39043C0118

2. Does proposed development meet NFIP and local "Use and Development Standards" of your regulations?

- ☐ Permitted Use.
- ☐ Water and wastewater systems standards met.
- ☐ Subdivision standards met (All public utilities and facilities safe from flooding, adequate drainage, flood elevations generated where applicable).
- ☐ Residential/non-residential structures standards met. Lowest floor elevation 579.00 feet m.s.l.

not reviewed at this time

- ☐ Substantial improvement / substantial damage Y / N
☐ Anchored properly (manufactured home affixed to permanent foundation) Y / N
☐ Utilities protected against flooding Y / N
☐ Construction materials below flood protection elevation resistant to flood damage Y / N
☐ Lowest floor elevated to or above flood protection elevation (BFE + freeboard) Y / N
☐ Has an enclosure below lowest floor (crawl space, walkout basement) Y / N
☐ Enclosure have proper number and area of openings Y / N
☐ Enclosure unfinished and only used for parking, materials storage or entry Y / N
☐ Accessory structure standards met (square footage, use, foundation openings). Y / N
☐ Recreational vehicle standards met. Y / N
☐ Above ground gas or liquid storage tank anchored.
- ☐ Flood carrying capacity maintained for floodway development, areas where FEMA has provided BFE data but no floodways, or for alterations of a watercourse.

3. Does proposed development trigger requirement to submit a Letter of Map Revision or Conditional Letter of Map Revision?

Y / N

DECISION RECORD

4. The proposed development is in compliance with applicable floodplain standards. **FLOOD HAZARD AREA DEVELOPMENT PERMIT ISSUED ON** _____.
5. The proposed development is not in compliance with applicable floodplain standards. **FLOOD HAZARD AREA DEVELOPMENT PERMIT DENIED ON** November 7, 2024. Reason(s): Lowest Floor Elevation (579.00) is below the Huron Chapter 1135.02 regulation-Flood Protection Elevation: The Flood Protection Elevation, or FPE, is the base flood elevation plus two (2) feet of freeboard. (580.00)
6. The proposed development is exempt from the floodplain standards per Section _____ of the Flood Damage Prevention Ordinance (Resolution) No. _____.

Administrator's Signature: Larry Fridrick, City Engineering Dept.

Date: November 7, 2024



CITY OF HURON
Planning & Zoning Department
417 MAIN STREET, HURON, OH 44839

THE BOARD OF BUILDING AND ZONING APPEALS APPLICATION
Completion of all applicable sections required. Incomplete applications will not be accepted.

We, the undersigned represent that we are the title owners of the following described property situated in the City of Huron, OH:

Applicant's Name Mark & Launie Zaccaro
Property Owners' Name: Mark & Launie Zaccaro
Address: 103 Wheeler Dr.
City, State, Zip: Huron, OH 44839
Phone Number 330-635-8302
Email: zmlaurmar@live.com

Location of Project:

Lot/Parcel #: 42-00325,000 Zoning District: 42-Huron City
Address: 103 Wheeler Dr. Huron, OH 44839.
Year purchased: 2023 Year the existing structure was constructed: _____
Single Story Home: ☒ Two Story Home: ☐

Provide a brief summary of your proposed project:

Demolish existing structure and
build new home.

Type:

- Area Variance: Subdivision Regulations _____ Parking _____ Setbacks ☒
Height _____ Size _____ Flood Plain _____ Sign Regulations _____
- Use Variance: _____
- Conditionally Permitted Use: _____

We request a Hearing before the Board of Building and Zoning Appeals of the City of Huron, Ohio, on the following question: (State the specific details of the variance being requested. Example: Area variance- 1' side setback variance is required for the proposed addition; Use Variance- State the type of use; or Conditionally Permitted Use approval)

5' front yard setback of 5' front yard
setback variance to Section 1127.03 to allow
for a proposed front yard setback of 55'
opposed to 50'.

Conditionally Permitted Use Approval

The following uses shall be permitted only if authorized by the Board of Building & Zoning Appeals in accordance with the provisions of Section 1139.02. State the type of use being proposed and the applicable code section:

Code Section: _____

(skip to Page 7, Sign and Date Application)

Use and/or Area Variance Questionnaire

1. The property in question [will/will not] yield a reasonable return and there [can/ cannot] be a beneficial use of the property without the variance because:
limits accessibility / access to garage from private street.
Would not conform with neighborhood.
2. The variance is [substantial/insubstantial] because:
Without the variance accessibility to enter garage is
compromised. Would not conform with neighboring homes.
Resale value.
3. The essential character of the neighborhood [would/would not] be substantially altered or adjoining properties [would/would not] suffer a substantial detriment as a result of the variance because:
Access to enter/leave drive access is limited and could result
in need to use neighboring lots to maneuver vehicles. Would not
conform to neighboring homes
4. The variance [would/would not] adversely affect the delivery of governmental services, (e.g., water, sewer, garbage)
Without variance access for service vehicles would be limited.
5. The applicant purchased the property [with/without] knowledge of the zoning restriction. Year the property was purchased: 2023. Year the structure(s) was constructed: 1965.

6. The applicant's predicament feasibly [can/cannot] be resolved through some method other than a variance.

7. The spirit and intent behind the zoning requirement [would/would not] be observed and substantial justice [done/not done] by granting the variance because Appearance of neighborhood, conforming with neighboring homes.

8. We believe the request should be granted due to the following hardship which is created by the property: (explain the hardship that exists *pursuant to the code*)

The average depth of neighboring lots is 67.5' and are within 100' of the lot in question. The variance of the 5' setback being requested still puts the new structure within the 67.5' range. Without this variance it would create limited and hostile access into the garage from the private road.

Note: If granted, Use or Area variances will expire within one (1) year from the date of approval. Refer to Section 1139.04 (e) for specifics to timeline regulations for commencement of construction or Use continuation.

② Resale Value.

I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent and agree to conform to all applicable laws, regulations, and ordinances of the city. I certify all information contained within this application and supplemental documents are true and accurate to the best of my knowledge and belief.

③ Constructing Plans (grading) would need redone/submitted

In addition, I, the undersigned responsible party (owner, occupant, tenant, or agent for the property owner) of the property described herein, do hereby consent to entry upon said property, at a reasonable time and to the extent necessary, by the City of Huron and its officers, employees, and/or agents for the purpose of inspecting said property for compliance with the City's Zoning and/or Building Codes. I further certify that I have authority to grant access to said property.

Date: 11/7/24 Signed Applicant

Laurel Jaccaro

Date: 11/7/24 Signed Property Owner

(REQUIRED)

ZONING DEPT. USE ONLY

Date received: 11-8-24 Application Complete

\$150 filing fee received: N/A

Comments _____ Hearing Date 11-18-24



CITY OF HURON
Planning & Zoning Department
417 MAIN STREET, HURON, OH 44839

THE BOARD OF BUILDING AND ZONING APPEALS APPLICATION
Completion of all applicable sections required. Incomplete applications will not be accepted.

We, the undersigned represent that we are the title owners of the following described property situated in the City of Huron, OH:

Applicant's Name Mark & Laurie Zaccaro

Property Owners' Name: Mark & Laurie Zaccaro

Address: 103 Wheeler Dr.

City, State, Zip: Huron, OH 44839

Phone Number 330-635-8302

Email: zmlaurmar@live.com

Location of Project:

Lot/Parcel #: 42-00325.000 Zoning District: 42-Huron City

Address: 103 Wheeler Dr. Huron, OH 44839.

Year purchased: 2023. Year the existing structure was constructed: 1965

Single Story Home: X Two Story Home:

Provide a brief summary of your proposed project:

Demolish existing structure
and build new home.

Variance Type:

1) Use Variance

2) Area Variance: Subdivision Regulations Parking Setback

Height X Flood Plain X

We request a Hearing before the Board of Building and Zoning Appeals of the City of Huron, Ohio, on the following question: (State the specific details of the variance being requested.)

Example: 1' side setback variance is required for the proposed addition)

1' less elevation of City of Huron's
2' zoning above FEMA BFE for 1st
floor elevation pursuant to
Huron Code Chapter 1135, to allow FEMA BFE plus one foot

Area/Size Variance Questionnaire

1. The property in question [will/will not] yield a reasonable return and there [can/cannot] be a beneficial use of the property, without the variance because:
City of Huron zoning requirements
would likely require additional costs, grade(s),
retaining walls and unreasonable heights
in comparison to neighboring
2. The variance is [substantial/insubstantial] because:
it would likely allow to keep existing
grades without disrupting these.
3. The essential character of the neighborhood [would/would not] be substantially altered or adjoining properties [would/would not] suffer a substantial detriment as a result of the variance because:
The new structure would be positioned
significantly above higher than
neighboring structures
4. The variance [would/would not] adversely affect the delivery of governmental services, (e.g., water, sewer, garbage)
5. The applicant purchased the property [with/without] knowledge of the zoning restriction. Year the property was purchased: 2023. Year the structure(s) was constructed: 1965.
6. The applicant's predicament feasibly [can/cannot] be resolved through some method other than a variance.
7. The spirit and intent behind the zoning requirement [would/would not] be observed and substantial justice [done/not done] by granting the variance because:
the least amount of disruption to existing
grades would occur and to not disrupt
run-off

We believe the request should be granted due to the following hardship which is created by the property: (explain the hardship that exists *pursuant to the code*)

To not disrupt existing grade, or at least minimally
and not alter run-off, cost of building
material, appearance of neighborhood/community

I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent and agree to conform to all applicable laws, regulations, and ordinances of the city. I certify all information contained within this application and supplemental documents are true and accurate to the best of my knowledge and belief.

In addition, I, the undersigned responsible party (owner, occupant, tenant, or agent for the property owner) of the property described herein, do hereby consent to entry upon said property, at a reasonable time and to the extent necessary, by the City of Huron and its officers, employees, and/or agents for the purpose of inspecting said property for compliance with the City's Zoning and/or Building Codes. I further certify that I have authority to grant access to said property.

Date: 10/21/24 Signed Applicant

Date: 10/21/24 Signed Property Owner

(REQUIRED)

ZONING DEPT. USE ONLY

Date received: 10/23/24 Application Complete _____

\$150 filing fee receipted: ✓

Comments

Amending Required Applications For
Rem

Hearing Date: TBD

Property Owners Within 100' of 103 Wheeler Dr., Huron, OH 44839

Canter Zappa Estates, 107 Wheeler Dr., Huron, OH 44839

Tom Harris, 105 Wheeler Dr., Huron, OH 44839

Blevins (John S.-Trustee), 101 Wheeler Dr., Huron, OH 44839