



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

Phone: 417 546-7225 / 7226 • Fax: 417 546-6861

website: www.taneycounty.org

AGENDA

**TANEY COUNTY BOARD OF ADJUSTMENT
WEDNESDAY, MAY 17, 2017 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Establishment of Quorum

Explanation of Public Hearing Procedures

Presentation of Exhibits

Governing Statutes

Public Hearings:

#17-05V William Johnson

#17-06V Brownbranch Holdings LLC

Review and Action:

Minutes, April 2017

Old and New Business:

Tentative

Adjournment

Copies of this notice may be obtained by contacting the Planning Office at the above address and phone number.

Posted: 5-11-17 By: MP

Time: 10:00 AM

Posted At: David St. entrance to the Taney County Courthouse bulletin board, outside the County Commission meeting room
At the Taney County Courthouse and the office of Planning and Zoning.



TANEY COUNTY PLANNING COMMISSION

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MINUTES TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, APRIL 19, 2017, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Chairman Dan Boone called the meeting to order at 6:00 p.m. A quorum was established with five members present. They were: Dan Boone, Howard Kitchen, Tony Mullen, Tom Gideon, and Trent Edwards. Staff present: Scott Starrett and Bonita Kisse-Souttee. The governing statutes were read by Mr. Starrett who also read a statement outlining the procedures for this meeting and presented the exhibits.

Mr. Boone swore in each speaker before their respective hearings.

Public Hearings:

Emerald Pointe, LLC Reconsideration of Appeal; a request to the Board to reconsider their decision to deny an appeal of the Taney County Planning Commission decision to place a stop work order on road construction in Phase 12 of Emerald Pointe Subdivision.

Friendly Hills Nightly Rental; a request for an appeal of the Taney County Planning Commission decision to deny a special use permit for a nightly rental business at 189 Friendly Hills. The property is owned by Marc & Liz Kirby.

Todd Rammer; a request for a variance from the provisions of Section 7, Table 1, Setbacks of the Taney County Development Guidance Code and the November 19, 1997 setback variance on property located at Yogi Bear RV Resort. The request is for the back and side property line setbacks for a 36' x 18' carport placed on the property to cover and protect the RV. The applicant is seeking a 2' variance from the east property line and a 3' x 4" side setback variance from the south property line allowing the existing carport in its current location.

William Mills; a request for a variance from the provisions of Section 7, Table 1, Setbacks of the Taney County Development Guidance Code from the required front property line setback and 20' from the north side of the lot allowing for the placement of a new mobile home with the building eaves being located 20' from the northern-most front property line. The property is located in the Dixieland #4 Subdivision.

Review and Action:

Minutes; March 15, 2017; with no additions or corrections a motion was made by to approve the minutes as written. Seconded by. The vote to approve the minutes was unanimous.

Old and New Business:

Discussion regarding next months meeting.

Adjournment:

With no other business on the agenda for April 19, 2017 the meeting adjourned at.



Taney County Board of Adjustment Staff Report

HEARING DATE: May 17, 2017

CASE NUMBER: 2017-05V

PROJECT: William & Jolene Johnson Setbacks & Lot Size Variance

APPLICANTS: William & Jolene Johnson

LOCATION: The subject property is located at 234 Bell Road #C, Branson, Missouri, Branson Township; Section 15, Township 23, Range 21.

REQUEST:

The applicants, William & Jolene Johnson are requesting a variance from the provisions of Section 7, Table 1, (Setbacks) of the Taney County Development Guidance Code. The request is for a side setback variance for the ability to purchase extra property to expand their property from the adjoining property owned by Megan Ogle Trust. If the property was purchased from the Megan Ogle Trust the property line would be one (1) foot from the side of the building. The Development Guidance Code setback for the sides of a building to the property line is seven (7) feet. The back setback of the property line would have a zero foot setback as the properties would share a common wall of the building. The applicant has indicated a survey company has confirmed the ability to survey the property in this manner. As per the Development Guidance Code; Duplexes are allowed to share a common wall with no interior setback on the attached wall. The amount of property the applicant is requesting the variance for is approximately two thousand two hundred (2,200) square feet in size. The property if allowed to be purchased with the variance would also need a variance from the Development Guidance Code for the minimum lot size for a lot with septic. The minimum lot size per Table 3, Section 7, is two (2) acres. This sale would reduce the Megan Ogle Trust property that is 1.1 acre in size to two thousand two hundred (2,200) square feet making the property more non-conforming. However with the purchase of the property by the Johnson's this would make their property more conforming. It is currently seven thousand eight hundred fifty (7,850) sq feet (.18 acre) in size. A variance would need to be approved for the reduction of the Megan Ogle Trust property

to allow the property to be less conforming to the two (2) acres per the Development Guidance Code before the sale can be made.

BACKGROUND and SITE HISTORY and GENERAL DESCRIPTION:

The subject property is +/- 1.1 acres (+/- 47,916 square feet) in size and is described as all of Lot 4A Block 13 of the Amended Plat of Hollywood Hills Subdivision. The applicants property is +/- 1.18 acres (+/- 7,850 square feet) in size and is described as all lot 3A Block 13 of the Amended Plat of Hollywood Hills Subdivision.

The subject property is currently a shop building in the back part of the building on a separate electric service with the floor forty eight (48) inches higher than the front part of the building. The front part of the building is a shop and a carport. The Johnson's indicate that if the variances are approved they will move forward with the purchase of the front part of the building to be able to use the carport and shop for their personal use such as, storage, freezer and parking.

The Johnson's have no space to build any type of outbuilding or place a carport. The only yard space that was available has been taken for a new waste water system permitted and installed in June, 2016 after disconnecting from the abandoned lagoons for the Rinehart Packing plant.

REVIEW:

Currently, based upon the Taney County Development Guidance Code the side property line setback would be seven (7) feet on the sides and five (5) feet on the back. The applicants are requesting a variance of one (1) foot side setback and a zero back setback from the property lines allowing for the surveying and purchase of the front part of the building. Also the applicants are requesting a variance from the acreage requirement for property on septic systems. By reducing the subject property it will be less conforming to the two (2) acre requirement while the applicant's property would be more conforming with the purchase of the property.

STATUTORY REQUIREMENTS of APPROVAL:

Per the Requirements of Missouri Revised Statutes the Board of Adjustment shall have the following powers and it shall be its duty:

“Where, by reason of exceptional narrowness, shallowness, shape or topography or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under sections 64.845 to 64.880 would result in peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon the owner of the property as an unreasonable deprivation of use as distinguished from the mere grant of a privilege, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the demonstrable difficulties or hardships, provided the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.”

STAFF RECOMMENDATIONS:

If the Taney County Board of Adjustment approves Variance Request Case #2017-05V, the following requirements shall apply, unless revised by the Board:

1. Approval of a side setback of one (1) foot from the south side property line, allowing for the purchase of the front portion of the building in question.
2. Approval of a back setback of zero (a common wall will be shared) from the west property line, allowing for the purchase of the front portion of the building in question.
3. Approval of the acreage requirement of two (2) acres for parcels on septic allowing the parcel to be reduced from +/- forty seven thousand nine hundred sixteen (47,916) square feet (1.1 acre) to +/- forty five thousand seven hundred sixteen (45,716) square feet (1.05 acre).
4. Compliance with all of the other provisions of the Taney County Development Guidance Code.
5. The Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 Days or the approval shall expire (Appendix D, Step 6).



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17-2

TANEY COUNTY BOARD OF ADJUSTMENT

APPLICATION and AFFIDAVIT FOR VARIANCE OR APPEAL

2200 dft

(Circle one)

Variance (\$125.00) Appeal (\$125.00)

PLEASE PRINT

DATE 4-3-2017

417-294-3090

Applicant William & Jolene Johnson

Phone 417 699-1926

Address, City, State, Zip 234 Bell Road

Representative

Phone

Owner of Record Morgan Ogle Trust

Signature: Morgan Ogle / Jolene Johnson

Name of Project:

Section of Code Protested: (office entry)

Address and Location of site: 234 Bell Rd # C Branson, MO 65616

Subdivision (if applicable) Hollywood Hills LT 3A B1K13

Section 15 Township 23 Range 21 Number of Acres or Sq. Ft.

Parcel Number 08-5.0-15-000-000-024.001

Does the property lie in the 100-year floodplain? (Circle one) Yes No

Required Submittals:

- ☐ Typewritten legal description of property involved in the request
- ☐ Postage for notifying property owners within 500 feet of the project
- ☐ Proof of public notification in a newspaper of county-wide circulation
- ☐ Proof of ownership or approval to proceed with request by the owner
- ☐ Sketch plan/survey of the project which completely demonstrates request

Please give a complete description of your request on page two.

Describe in detail the reason for your request:

Wanting to purchase bottom part of Pole Barn. (Shop
and car port) The 2 sides are separated by a wall &
already have separate electrical also can be insured
separate. This is a nice home - small in size. the shop
really helps with storage of multiple items including
deep freeze, and all my husbands construction tools ect.
We really don't have options of building any where.
Also without the car port we have no place to
park 2 vehicles on our own property

VERIFICATION

In signing this application, I fully understand, and will comply with, the responsibilities given me by the Taney County Development Guidance Code. I certify that all submittals are true and correct to the best of my knowledge and belief, and that my request may or may not be approved by the Taney County Planning Commission's Board of Adjustment.

John D. Johnson
William Johnson
Signature of Applicant

4-3-2017
4-3-2017
Date of Application

STATE OF MISSOURI)

S.S. On this 3 day of April, 2017.

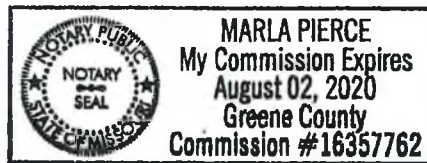
COUNTY OF TANEY)

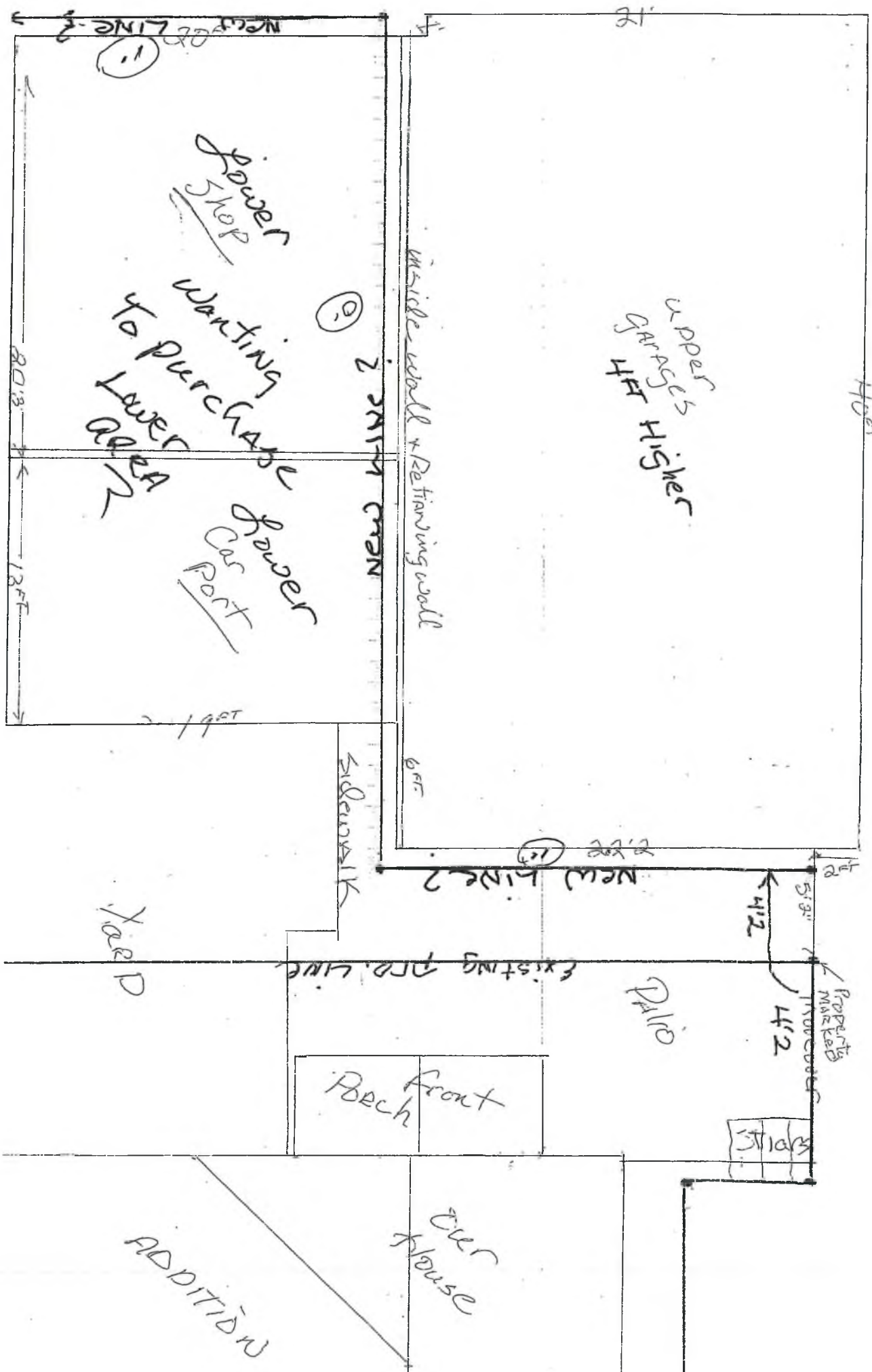
Before me Personally appeared John D. Johnson & William Johnson, to me know to be the person described in and who executed the foregoing instrument.

In testimony Whereof, I have hereunto set my hand and affixed my official seal, at my office in Forsyth, Mo. The day and year first above written. My term of office as Notary Public will expire 2/6/2018.

08/02/2020

Marla Pierce
~~Bonita Kisse-Souttee~~, Notary Public
MARLA PIERCE, Notary Public









Bell Rd

02/15/2015

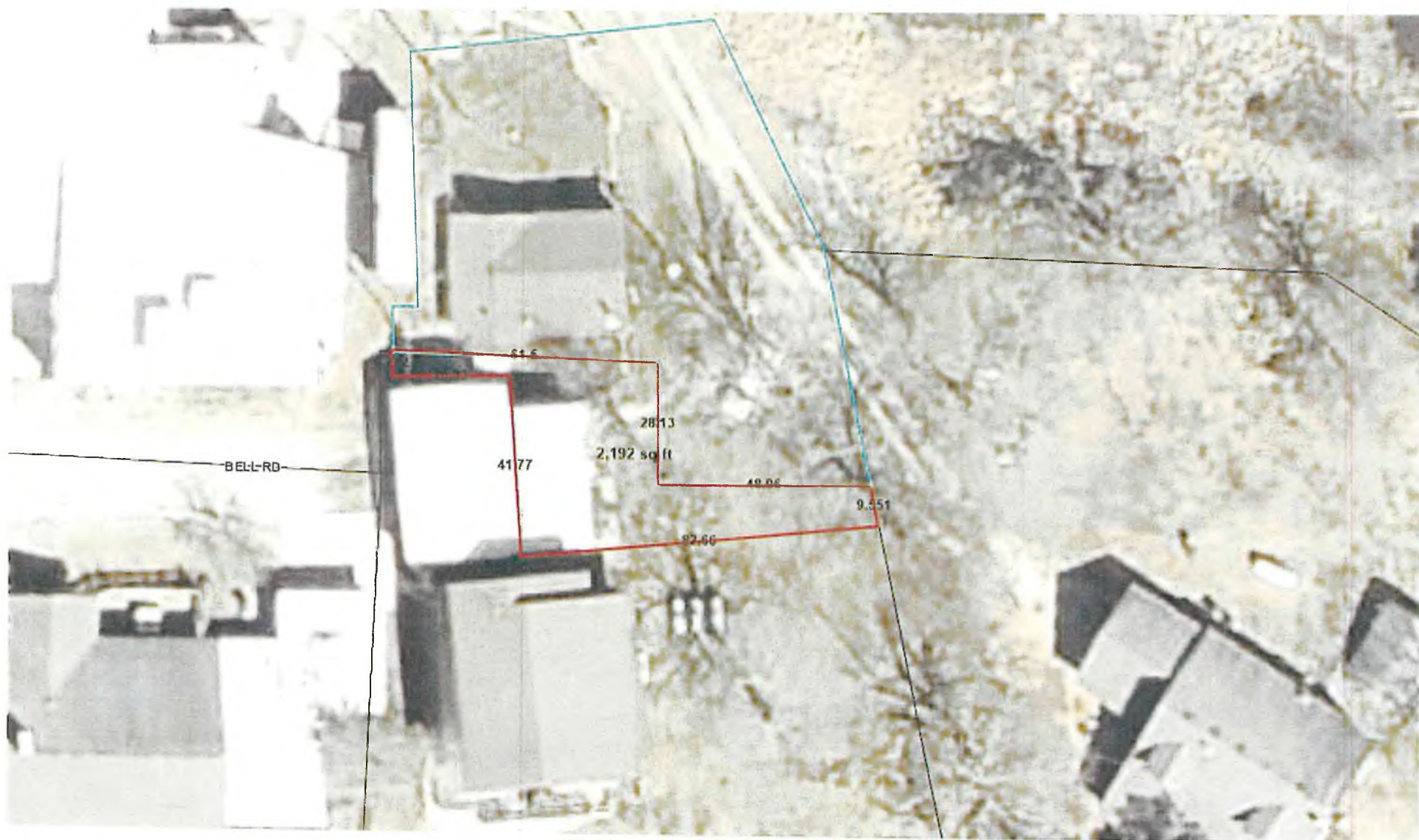
252

290

© 2015 F













Taney County Board of Adjustment Staff Report

HEARING DATE: May 17, 2017

CASE NUMBER: 2017-06V

PROJECT: Floodplain Management Ordinance & Setback Variance

APPLICANTS: Brownbranch Holdings LLC

REPRESENTATIVE: Barry & Jan Dougherty

LOCATION: The subject property is located at 159 State Hwy W, Ava, Missouri, Beaver Township, Section 04, Township 24, Range 17.

REQUEST:

The applicants, Barry & Jan Dougherty are requesting a variance from the provisions of the Taney County Floodplain Management Ordinance. The applicants are requesting a variance from the floodplain requirements for an accessory building to be wet-floodproofed constructed.

As per the Taney County Floodplain Management Ordinance, Article 4, Section A, Number 7 Accessory Structures, "Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than 400 square feet, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; The structure is of single-walled design; a variance has been granted from the standard floodplain management requirements of this ordinance; and a floodplain development permit has been issued".

The applicants are also requesting a setback variance from Section 7, Table 1, (Setbacks) of the Taney County Development Guidance Code for the front setback from a State Highway. Table 1 states the front setback for a building from a State Highway is fifty (50) feet. The applicant is requesting a variance of twenty five (25) feet from the front setback, for future construction of a forty eight (48) square foot restroom, from the front property line on State Highway W.

BACKGROUND and SITE HISTORY:

The subject property is described as the H A Thomas Heir's Survey Lot 3, and contains a total of approximately one (1) acre as per the Assessor's information via Beacon and currently has a twenty two (22) by thirty (30) pavilion on the parcel.

On March 24, 2017 Janice Dougherty submitted a Division II Permit application seeking to construct a forty eight (48) square foot, eight (8) by six (6) foot, accessory structure to be utilized as a restroom for campers. The approval of the Division II Permit is contingent upon the approval of a Floodplain Development Permit.

The applicants have provided a copy of the Missouri Department of Transportation permit to allow the bore under State Highway W for water to be connected to the property. The applicant is also working with Planning Staff and an Installer for the on-site waste water permit for the restrooms. A soils evaluation has been submitted with a suitable load rating for a basic system. The on-site waste water system will have floodproofing requirements for safety of the septic tank and components in case of flooding.

The applicant is working with Engineers to complete the requirements for the Floodplain Development permit such as the vent sizes in the building for flood water flow through and the backflow prevention of the septic system.

STATUTORY REQUIREMENTS of APPROVAL:

Per the Requirements of Missouri Revised Statutes the Board of Adjustment shall have the following powers and it shall be its duty:

"Where, by reason of exceptional narrowness, shallowness, shape or topography or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under sections 64.845 to 64.880 would result in peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon the owner of the property as an unreasonable deprivation of use as distinguished from the mere grant of a privilege, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the demonstrable difficulties or hardships, provided the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map."

FLOODPLAIN MANAGEMENT ORDINANCE VARIANCE CRITERIA:

(As enumerated within the Floodplain Management Ordinance)

Per the requirements of Article 5, Section D of the Taney County Floodplain Management Ordinance, the Board of Adjustment shall consider all technical data and evaluations, all relevant factors, standards specified in other sections of the Floodplain Management Ordinance and the following criteria:

1. "the danger to life and property due to flood damage
2. the danger that materials may be swept onto other lands to the injury of others;
3. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. the importance of the services provided by the proposed facility to the community;
5. the necessity to the facility of a waterfront location, where applicable;
6. the availability of alternative locations, not subject to flood damage, for the proposed use;
7. the compatibility of the proposed use with existing and anticipated development;
8. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. the safety of access to the property in times of flood for ordinary and emergency vehicles;
10. the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, if applicable, expected at the site; and,
11. 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; streets; and bridges."

CONDITIONS FOR APPROVING FLOODPLAIN MANAGEMENT VARIANCES:

(As enumerated within the Floodplain Management Ordinance)

1. Use of the accessory structures must be solely for parking and limited storage purposes in Zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
2. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e. foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (4) (b) of the ordinance.
3. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with Article 4, Section A (4) (a) of this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
4. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Sections A (4) (d) of this ordinance.
5. The accessory structure must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with Article 4, Section B (1) (C) of this ordinance.
6. The accessory structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section E (2) of this ordinance. No Variances may be issued for accessory structures within any designated floodway, in any increase in flood levels would result during the 100-year flood.
7. Equipment, machinery, or other contents must be protected from any flood damage.

8. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.
9. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
10. Wet-floodproofing construction techniques must be reviewed and approved by the community and a registered professional engineer or architect prior to issuance of any floodplain development permit for construction.

STAFF RECOMMENDATIONS:

If the Taney County Board of Adjustment approves Variance Request Case #2017-07V, the following requirements shall apply, unless revised by the Board:

1. Approval of a variance from the provisions of Article 4, Section A (7) of the Taney County Floodplain Management Ordinance, allowing for the construction of a forty eight (48) square foot, eight (8) by four (4), accessory structure (restroom) to be built utilizing the "wet" floodproofing methods of Article 5, Section G.
2. The applicant acknowledges that the issuance of this variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as high as twenty five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage. The applicant further recognizes that such construction below the base flood level increases risks to life and property.
3. Approval of the fifty (50) foot front setback to a twenty five (25) foot front setback located off State Highway W, for the accessory structure (restroom) to be built.

4. Compliance with all other provisions of the Taney County Development Guidance Code and the Taney County Floodplain Management Ordinance.
5. The Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 Days or the approval shall expire (Chapter 7.3.4 of the Taney County Development Guidance Code).



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#17-6

TANEY COUNTY BOARD OF ADJUSTMENT

APPLICATION and AFFIDAVIT

FOR VARIANCE OR APPEAL

(Circle one)

Variance (\$125.00) Appeal (\$125.00)

PLEASE PRINT

DATE

4/13/2017

Applicant Brownbranch Holdings, LLC Phone 417-796-2336

Address, City, State, Zip 159 State Hwy W

Representative Bernard or Janice Dougherty Phone 417-796-2336 or 417-686-0068

Owner of Record Brownbranch Holdings LLC Signature: Janice C. Dylak

Name of Project: Campground Restroom

Section of Code Protested: (office entry) _____

Address and Location of site: 159 State Hwy W, Ava, MO 65608 (at Brownbranch)

Parcel ID 01-2.1-04-002-006-001.000 25 feet from Hwy W easement
and approx 96 feet from south edge of parcel

Subdivision (if applicable) n/a

Section 4 Township 24 Range 17 Number of Acres or Sq. Ft. 1.32

Parcel Number 01-2.1-04-002-006-001.000

Does the property lie in the 100-year floodplain? (Circle one) Yes No.

Required Submittals:

☒ Typewritten legal description of property involved in the request see attached deed

☐ Postage for notifying property owners within 600 feet of the project

☐ Proof of public notification in a newspaper of county-wide circulation Taney County Times
417-334-2285

☒ Proof of ownership or approval to proceed with request by the owner see attached deed

☐ Sketch plan/survey of the project which completely demonstrates request awaiting Roywell Group review

Please give a complete description of your request on page two.

how much?
need format
how many days?

217.17

Describe in detail the reason for your request:

Campground Restroom for convenience and safety of campers. Hwy. W divides 2 sections of our Campground and currently, campers must cross the highway to use the main restroom.

Facility to meet FEMA, SEMA & County Requirements.

- backflow prevention
- Bldg anchored to concrete pad
- material floodproof: concrete log siding, pretreated studs, stainless steel toilet with flushing valve (no tank), solid construction metal doors, single mail construction, solar powered lighting & water heated on roof.

Facility to match look of other log buildings on property (though "logs" are concrete).

VERIFICATION

In signing this application, I fully understand, and will comply with, the responsibilities given me by the Taney County Development Guidance Code. I certify that all submittals are true and correct to the best of my knowledge and belief, and that my request may or may not be approved by the Taney County Planning Commission's Board of Adjustment.

Janice C. Dougherty
Signature of Applicant

4/13/17
Date of Application

STATE OF MISSOURI)

S.S. On this 13 day of April, 2017.

COUNTY OF TANEY)

Before me Personally appeared Janice C. Dougherty, to me know to be the person described in and who executed the foregoing instrument.

In testimony Whereof, I have hereunto set my hand and affixed my official seal, at my office in Forsyth, Mo. The day and year first above written. My term of office as Notary Public will expire 2/6/2018.

Bonita Kisse-Soutee
Bonita Kisse-Soutee, Notary Public



BONITA KISSEE-SOUTEE
My Commission Expires
February 6, 2018
Taney County
Commission #10440057

Scott Starrett

From: McHugh, Karen [Karen.McHugh@sema.dps.mo.gov]
Sent: Thursday, March 09, 2017 10:43 AM
To: Scott Starrett
Cc: Weyrauch, Elizabeth
Subject: RE: Bathroom in floodplain question
Attachments: Technical Bulletin 01-08.pdf; Technical Bulletin 02-08.pdf; Technical Bulletin 07-93.pdf

Hi Scott,

Please feel free to email or call me with floodplain management questions. Elizabeth Weyrauch can help you with your mitigation questions.

From the National Flood Insurance Program (NFIP) point of view, placing new restrooms in the Special Flood Hazard Area (SFHA) is an allowable man-made change. A Floodplain Development Permit (FPDP) is required prior to beginning construction activities, but, just as importantly, other regulatory agencies may have jurisdiction as well. Therefore, it is essential for the developer/applicant to check with the local Health Department and the State of Missouri Department of Natural Resources to see if there are any restrictions or additional requirements for the proposed restroom facility.

Because this type of development is “non-habitable,” it is not necessary that it meet the elevation requirements of the community’s Floodplain Management Ordinance. However, it will have to comply with all other requirements of the Floodplain Management Ordinance. Most notably, outdoor restrooms will be required to meet the floodplain management criteria for an enclosed structure built below the Base Flood Elevation (BFE). This is not the same standard that is required for dry-floodproofing non-residential structures and is referred to as “wet-floodproofing.” In other words, an outdoor restroom in a SFHA will be considered an accessory structure and will have to comply with the ordinance requirements for such a development.

If the outdoor restroom lowest floor will not be elevated to meet the requirements of the community’s Floodplain Management Ordinance and will be built at grade, then it must have the appropriate size and number of permanent openings to allow flood waters to enter and exit the interior of the structure. The building and restroom appliances must be constructed of flood resistant material and any utilities servicing the building must be protected from flood damage. Electrical utilities must be elevated above the BFE or floodproofed within a watertight enclosure capable of resisting flood damage. Flood damage-resistant materials are those that resist damage during the flood event and can be power washed after it has occurred. For example, stainless steel is often used as a material for restroom appliances.

Another important aspect of this type of development is to ensure that it meets the community’s Floodplain Management Ordinance requirements for floatation, collapse, and lateral movement. These requirements apply to the restroom facility’s structure and to any underground waste holding tanks. Damage could result downstream if these tanks were to break free.

As long as accessory structures are allowable under the community’s Floodplain Management Ordinance, then outdoor restrooms should be allowable in the SFHA. This development must be evaluated using the accessory structure variance process. If the restroom facility is also going to be used for other purposes and is a separate room inside the accessory structure, flood vent openings will be required in the interior restroom walls as well. This is to ensure that the interior room does not collapse from hydrostatic pressure during the flooding event and damage the main structure. A minimum of two openings is required in any interior room and in at least two different walls. The structure’s exterior walls are also subject to this requirement.

If the restroom is going to be placed in a SFHA's regulatory floodway, the jurisdiction must first require that a "No-Rise" analysis be performed and certification provided prior to issuing a FPDP.

Enclosed as attachments please find:

- Technical Bulletin 1-08: Openings in Foundation Walls and Walls of Enclosures
- Technical Bulletin 2-08: Flood Damage-Resistant Material Requirements
- Technical Bulletin 7-93: Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas

I hope that this has been helpful, Scott, Please let me know if I can help further.

Sincerely,
Karen

*Karen McHugh, CFM
Floodplain Management Section Manager / NFIP State Coordinator
State Emergency Management Agency
PO Box 116
Jefferson City, Missouri 65102*

*Ph: (573) 526-9129
email: karen.mchugh@sema.dps.mo.gov*

From: Weyrauch, Elizabeth
Sent: Thursday, March 09, 2017 10:12 AM
To: McHugh, Karen
Cc: 'Scott Starrett'
Subject: RE: Bathroom in floodplain question

Karen,

Would you mind responding to Scott's e-mail below?

Thanks,
Elizabeth

Elizabeth Weyrauch, CFM
Missouri State Hazard Mitigation Officer
State Emergency Management Agency
2302 Militia Drive, PO Box 116
Jefferson City, MO 65102
(573) 526-9375

From: Scott Starrett [<mailto:ScottS@co.taney.mo.us>]
Sent: Thursday, March 09, 2017 9:07 AM
To: Weyrauch, Elizabeth
Subject: Bathroom in floodplain question

Elizabeth, I have a floodplain question. I've been asked about the possibility of building a small 192 sq ft bathroom that will be in the Taney County floodplain. Or building 2-90 sq ft bathrooms instead? The 90 sq ft bathrooms would not require a Taney County building permit but would require the onsite waste water permit. I assume the buildings would have to be elevated 1 foot about the floodplain level? Looking for direction on this question?

THANKS,
Scott Starrett
Taney County Planning
417-546-0764-cell
417-546-7225-office
417-546-6861-fax
scotts@co.taney.mo.us



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website: www.taneycounty.org

Brownbranch Holdings, LLC
Barry & Jan Dougherty
159 State Hwy W
Ava, MO 65608

Brownbranch Holdings, LLC,

Per the Taney County Flood Ordinance the Taney County Floodplain Administrator is required to notify you per Article 5, Section G (9) that the following notification shall be made before the issuance of a variance from the Floodplain Ordinance is made:

"9. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance."

This letter is to serve as your required notice and the Planning Department would suggest that you inquire with your insurance company on what impact such a variance could have on flood insurance rates for your property in the future?

SCOTT STARRETT
TANEY COUNTY PLANNING
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7. Accessory Structures

Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than 400 square feet, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; a variance has been granted from the standard floodplain management requirements of this ordinance; and a floodplain development permit has been issued.

[Article 4, Section B]

SECTION B. SPECIFIC STANDARDS

1. In all areas identified as numbered and unnumbered A zones, AE, and AH Zones, where base flood elevation data have been provided, as set forth in Article 4, Section A(2), the following provisions are required:

- a. *Residential Construction*

New construction or substantial-improvement of any residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to one (1) foot above the base flood elevation.

*[*In all unnumbered and numbered A zones and AE zones, the FEMA, Region VII office recommends elevating to one foot above the base flood elevation to accommodate floodway conditions when the floodplain is fully developed.]*

- b. *Non-Residential Construction*

New construction or substantial-improvement of any commercial, industrial, or other non-residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to or one (1) foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 3, Section C(9).

*[*The FEMA, Region VII office recommends elevating to one foot above the base flood elevation to qualify for flood insurance rates based upon floodproofing.]*

- c. Require, for all new construction and substantial-improvements, that fully enclosed areas below lowest floor used solely for parking of vehicles, building access, or storage in an area other than a basement and that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

5. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (4)(d) of this ordinance.
 6. The agricultural structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with Article 4, Section B (1)(c) of this ordinance.
 7. The agricultural structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section E(2) of this ordinance. No variances may be issued for agricultural structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
 8. Major equipment, machinery, or other contents must be protected from any flood damage.
 9. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the agricultural structures.
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10. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
 11. Wet-floodproofing construction techniques must be reviewed and approved by the community and a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

SECTION G. CONDITIONS FOR APPROVING VARIANCES FOR ACCESSORY STRUCTURES

Any variance granted for an accessory structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Article 5, Sections D and E of this ordinance.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for accessory structures that are constructed at-grade and wet-floodproofed.

1. Use of the accessory structures must be solely for parking and limited storage purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).

2. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (4)(b) of this ordinance.
 3. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with Article 4, Section A (4)(a) of this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
 4. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (4)(d) of this ordinance.
 5. The accessory structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with Article 4, Section B (1)(c) of this ordinance.
-
6. The accessory structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section E (2) of this ordinance. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
 7. Equipment, machinery, or other contents must be protected from any flood damage.
 8. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.
 9. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
 10. Wet-floodproofing construction techniques must be reviewed and approved by the community and registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

[Article 4, Section A]

4. All new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other developments shall require:
 - a. design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - b. construction with materials resistant to flood damage;
 - c. utilization of methods and practices that minimize flood damages;
 - d. all electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - e. new or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination; and
 - f. subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
 - (1) all such proposals are consistent with the need to minimize flood damage;
 - (2) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 - (3) adequate drainage is provided so as to reduce exposure to flood hazards; and
 - (4) all proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.

5. *Agricultural Structures*

Structures used solely for agricultural purposes in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; there is no permanent retail, wholesale, or manufacturing use included in the structure; a variance has been granted from the floodplain management requirements of this ordinance; and a floodplain development permit has been issued.

6. *Storage, material, and equipment*

- a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
- b. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.

SECTION D. AREAS OF SHALLOW FLOODING (AO and AH zones)

Located within the areas of special flood hazard as described in Article 2, Section A are areas designated as AO zones. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. The following provisions apply:

[Article 4, Section D (1)]

1. AO Zones

- a. All new construction and substantial-improvements of residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).
- b. All new construction and substantial-improvements of any commercial, industrial, or other non-residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community FIRM (at least two feet if no depth number is specified) or together with attendant utilities and sanitary facilities be completely floodproofed to that so that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- c. Adequate drainage paths shall be required around structures on slopes, in order to guide floodwaters around and away from proposed structures.

2. AH Zones

- a. The specific standards for all areas of special flood hazard where base flood elevation has been provided shall be required as set forth in Article 4, Section B.
- b. Adequate drainage paths shall be required around structures on slopes, in order to guide floodwaters around and away from proposed structures.

SECTION E. FLOODWAY

Located within areas of special flood hazard established in Article 2, Section A are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters that carry debris and potential projectiles, the following provisions shall apply:

1. The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot at any point.
2. The community shall prohibit any encroachments, including fill, new construction, substantial-improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Floodplain Management Variances

A variance is a grant of relief from the terms of a floodplain management regulation. This generally involves allowing development that is contrary to good floodplain management practices. Because the result can be an increased risk to life and property, the granting of floodplain variances should be rare.

Local Floodplain Development Permit

Responsibility for issuing or denying Floodplain Development Permits lies with the Local Floodplain Administrator (usually the Code Enforcement Officer). If a proposed project does not comply with the municipality's floodplain development standards, the Local Floodplain Administrator should deny the permit and provide a written summary of project deficiencies. The applicant may then revise and resubmit the application or request a hearing from the designated appeals board (usually the Zoning Board of Appeals).

Appeals

If the applicant alleges an error in the decision or determination made by the Local Floodplain Administrator, the appeal is heard and decided by the designated appeals board. If the applicant requests a variance from local floodplain development requirements, the variance request must be supported by a written justification. The request for variance should never be an after-the-fact request for a non-compliant project.

Local Variance Procedure

The appeals board considers a variance request at one or more public meetings at which they seek (1) testimony from the Local Floodplain Administrator about how the proposed activity fails to meet local floodplain development standards and (2) testimony from the applicant as to why it is infeasible or impossible to make the proposed development conform. Complete records should be kept of all deliberations and actions of the board. (Use of a *Floodplain Variance Findings & Decision* form is recommended.)

Although a municipal appeals board has the authority to decide whether or not a variance is granted, the Federal Emergency Management Agency (FEMA) may review the community's findings. If that review indicates a pattern inconsistent with the objectives of sound floodplain management, the community can be subjected to probation or suspension from the National Flood Insurance Program.

State Variance Procedure

Because floodplain management requirements are specified in the NYS Building and Residential Codes, it may be necessary to obtain a Variance to the Uniform Fire Prevention and Building Code from the NYS Department of State. This is in addition to a local variance from the municipality.

Considerations and Conditions

Each municipality's Flood Damage Prevention regulations specify factors that must be considered and conditions that must be met prior to granting a floodplain variance. Both the applicant and the appeals board should refer to these regulations to ensure that each issue is addressed in the applicant's written justification and carefully considered during the board's deliberations. Key issues are discussed below.

Good and Sufficient Cause

Because floodplain management regulations do not anticipate every imaginable situation, the variance process allows a developer to seek permission to vary from the letter of the rules because of a special situation. However, ***the variance must pertain to the land itself – not to the structure, its inhabitants, or the property owner.*** A variance should not be granted for a problem that can be resolved through other means, even if the alternative is more expensive, more complicated, requires that the parcel be put to a different use, or requires the applicant to build elsewhere.

Exceptional Hardship

Federal regulations state that a community can only issue a variance upon “a determination that failure to grant the variance would result in exceptional hardship to the applicant.” Additional guidance states: “***The applicant has the burden of proving unnecessary hardship.*** Reasons for granting the variance must be substantial; the proof must be compelling. The claimed hardship must be exceptional, unusual and peculiar to the property involved. Financial hardship, inconvenience, aesthetic considerations, physical handicaps, personal preferences or the disapproval of one’s neighbors do not qualify as exceptional hardships.”¹

Minimum Variation Necessary

The variance must be the minimum necessary, considering the flood hazard, to afford relief. A variance is a request to vary from the rules, not to ignore them. Any variance should allow only minimum deviation from the local requirements. The approved project should provide as much flood protection as is possible.

Regulatory Floodway

Variances shall not be issued within any regulatory floodway if any increase in flood levels during the base flood discharge would result. Because the community should not be exposed to higher flood risks, federal standards prohibit variances from the requirements concerning floodway encroachments.

When Might a Variance Be Warranted?

Special circumstances may justify granting a variance:

- **Deviation from Higher Standards:** When a municipality’s floodplain management standards exceed the minimum federal requirements, some situations may warrant deviation from those higher standards.
- **Small Lot:** Although variances are strongly discouraged, the technical justification required for a building that fails to meet elevation requirements is lower if it is erected on a lot of one-half acre or less and surrounded by lots with existing structures constructed below the base flood elevation.
- **Wet Floodproofing:** Variances that allow protection from flood damage using wet floodproofing techniques may be issued for structures that are: functionally dependent on close proximity to water (such as boat houses), historic buildings (if the historic character is preserved), accessory structures, and certain agricultural structures. The variance may be contingent on limited use of the structure (for storage, parking, or agricultural purposes). In all cases, the variance must be the minimum necessary.

Impact of Increased Risk on Flood Insurance Rates

A variance is for floodplain management purposes only. It does not alter flood insurance purchase requirements or the mechanism for determining insurance costs. The increased risk for a non-compliant structure will be reflected in higher annual flood insurance premiums, which can be as high as \$25 for \$100 of insurance coverage. This may create severe financial consequences for the property owner who applied for the variance and for any future owners. Although a variance may save money in the short term, over the long run the owner may pay much more in insurance premiums or, if uninsured, in flood losses. If a variance is issued for a building with the lowest floor below the base flood elevation, the municipality must notify the applicant of the potentially high flood insurance premiums and the increased risks to life and property.

Additional Resources

- *Appeals, Special Uses and Variances*, in *Unit 7: Ordinance Administration* of FEMA 480: *National Flood Insurance Program (NFIP) Floodplain Management Requirements: A Study Guide and Desk Reference for Local Officials* (2005), available at <http://www.floods.org/index.asp?menuid=388&firstlevelmenuid=180&siteid=1>.
- *Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas*, Technical Bulletin 7-93, FEMA FIA-TB-7 (1993), available at <http://www.fema.gov/library/viewRecord.do?id=1720>, specifies variance conditions and provides technical guidance for wet floodproofed buildings.

¹ *National Flood Insurance Program (NFIP) Floodplain Management Requirements*, FEMA 480 (2005), page 7-46.

Brownbranch Holdings / Beaver Creek Canoe Rental, Campground & Cabins

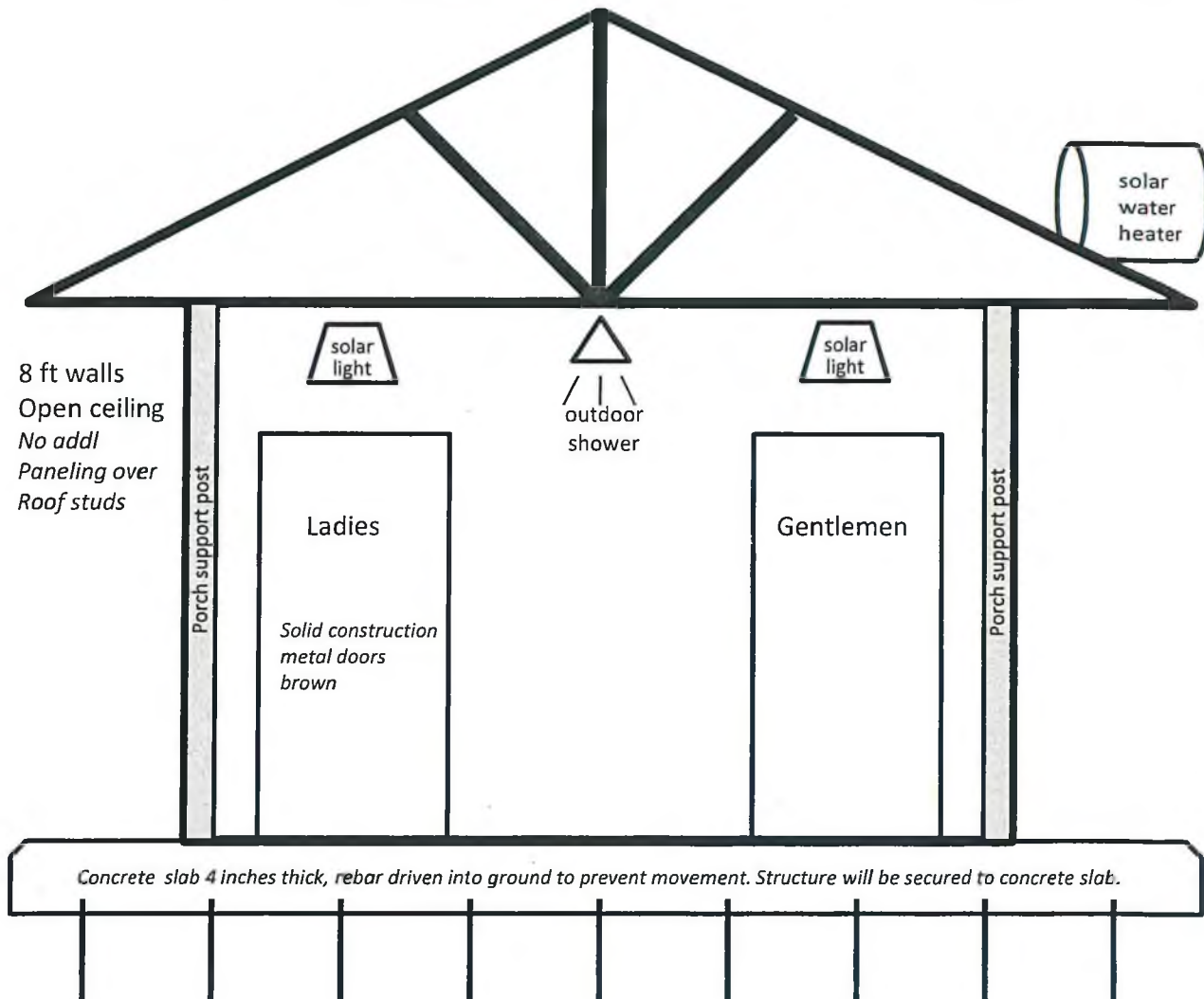
Caney Creek Camp Area Restroom

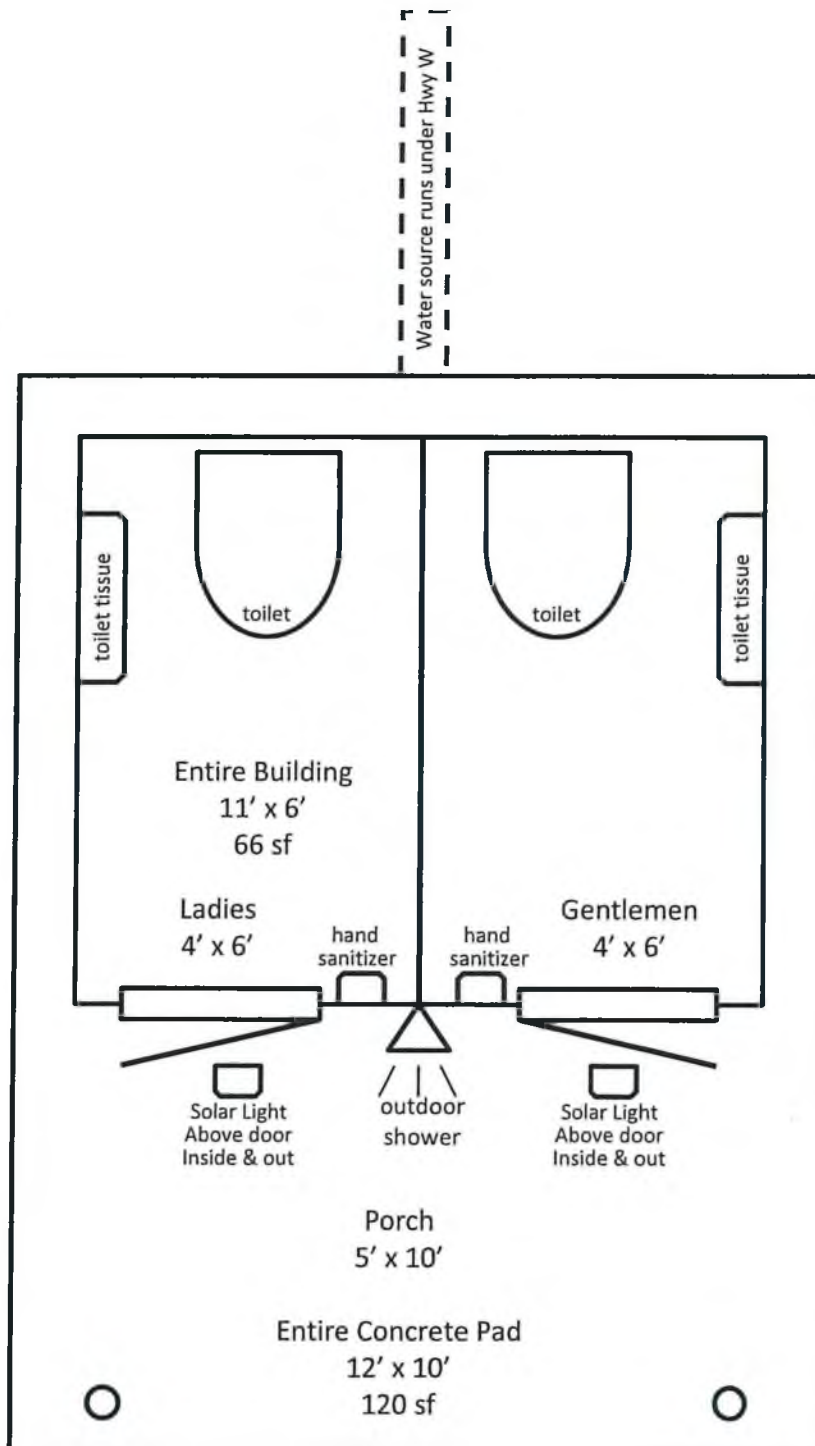
44 CFR Section 60.6(a)(7) states "Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use..."

Reference FEMA Technical Bulletin 7-93, p4,

- 1) structure must be anchored to resist flotation, collapse, and lateral movement
- 2) The portions of the structures located below the Base Flood Elevation (BFE) must be constructed of flood-resistant materials
- 3) It must be designed to allow for the automatic entry of flood waters
- 4) Mechanical or utility equipment must be flood proofed
- 5) It must comply with the floodway encroachment provisions of the National Flood Insurance Program (NFIP) Regulations

The area where the restroom will be built is in flood zone A and is under the BFE. This building does not qualify for FEMA insurance because it is under the BFE. This area does not have hydrodynamic loads or debris impacts.

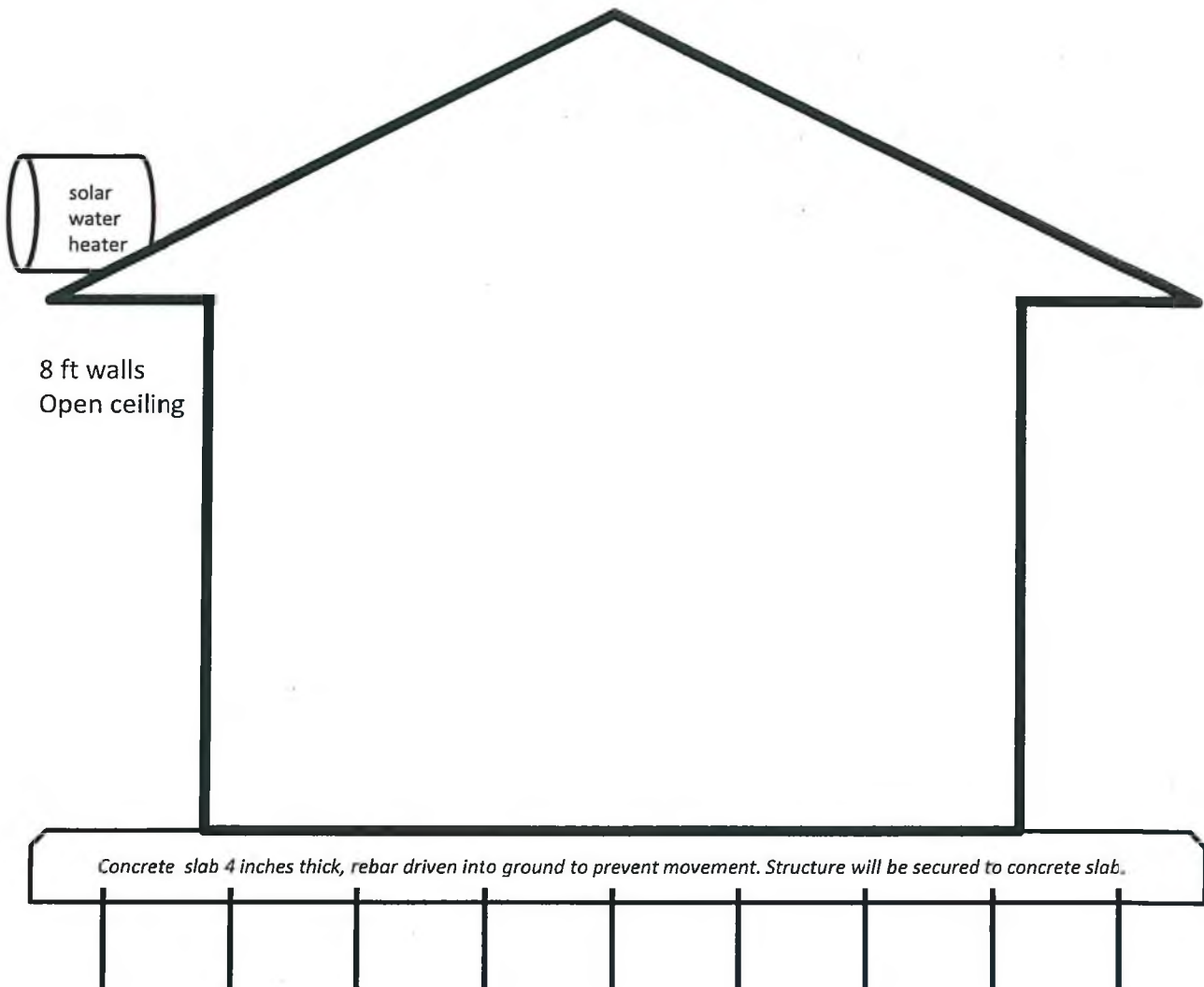




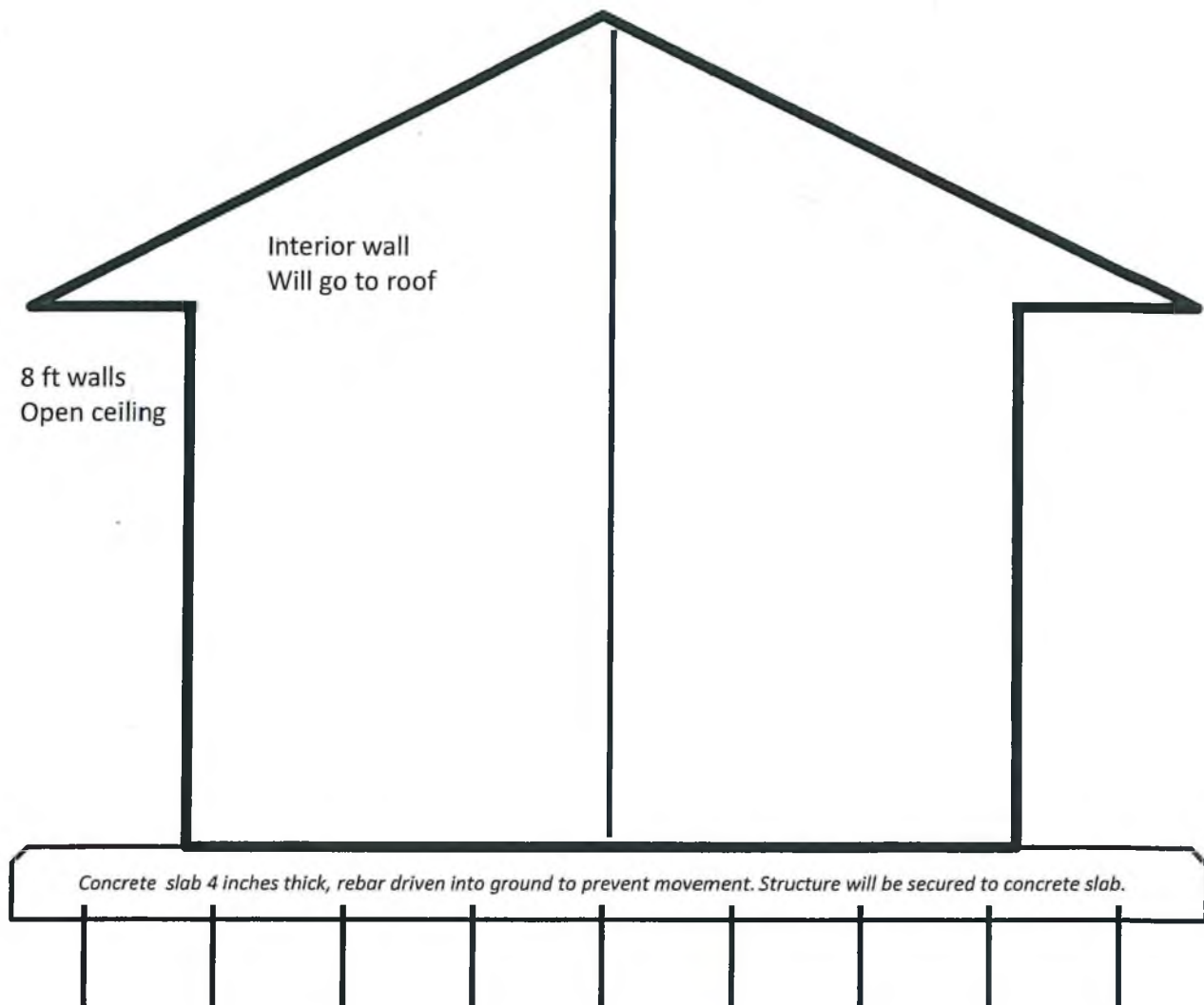
Materials meet FEMA Technical Bulletin 2, Table 2 for Flood Damage-Resistant Materials

- Framing is PT treated lumber, single wall construction.
- Corrugated galvanized steel panels will be used to attach the concrete log siding and serve as interior wall through exposed studs.
- Toilets, shower fixtures are stainless steel, flushing valve, no tank.
- Shower door is similar to a stall door and made of composite decking. This is an "outdoor" shower.
- All doors are metal, solid construction. Plumbing: DNR approved Backflow assembly.

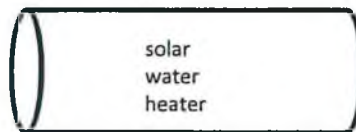
Back of Building



Interior Wall Structure Vertical View



Green metal roof



solar
water
heater

*Vents on each side, top and bottom and in storage area.
Building is 66sf, requirement is a minimum of one square inch
for each square foot of enclosure so we need 66 sq inches of
venting. Each vent 11" x 3" = 33 sq inches x 3 vents = 99 sq
inches sitting less than 2 inches from the bottom of the wall.
This exceeds the requirements.*

*There will be identical venting at the top to allow for
equalization of internal and external hydrostatic pressure.
This will also prevent flood waters from increasing in height.*

Vent

Front of bldg ->

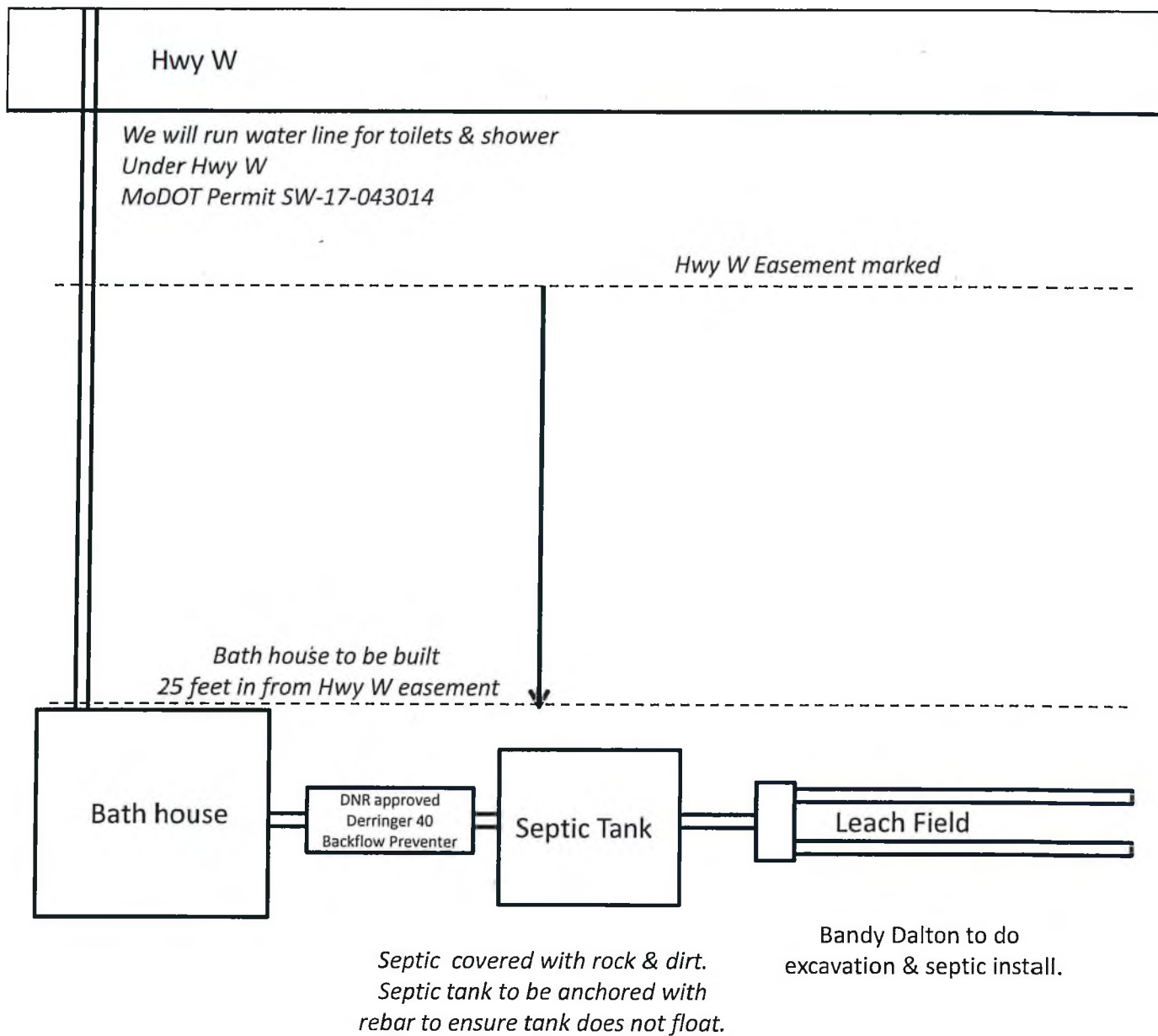


*Concrete log siding meets FEMA Technical
Bulletin 2, Table 2 for Flood Damage-
Resistant Materials*

Vent

Porch

*Concrete pad as flooring meets FEMA Technical
Bulletin 2, Table 2 for Flood Damage-Resistant Materials*



See Soil Analysis
for diagram of exact
placement on parcel



Deringer 40(x)

RP
Reduced Pressure Valve

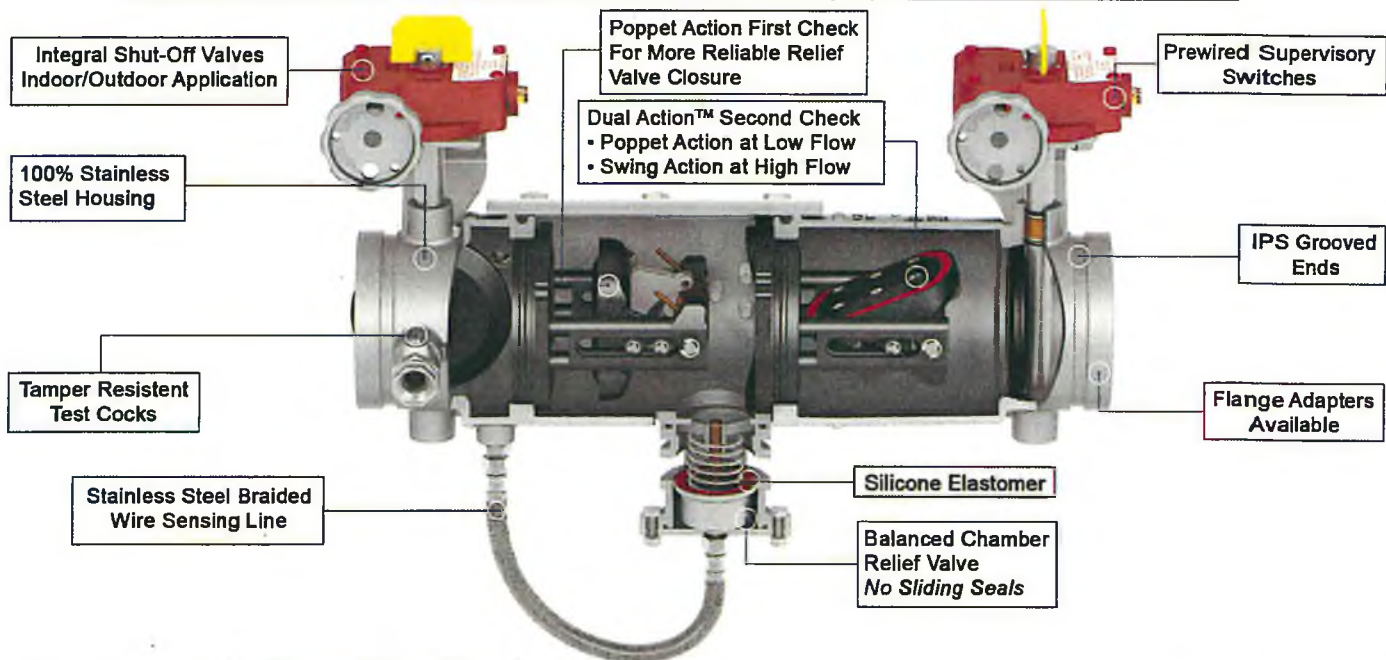
The Deringer 40(x) Reduced Pressure Valve prevents non-health hazard pollutants and hazardous contaminants from entering a potable water supply system when backpressure and/or backsiphonage conditions occur.

Sizes: 2½", 3", 4", 6", 8"
Working Pressure: 10-175psi (0.7-12.1 bar)
Temperature Range: 33°-140°F (1°-60°C)
End Connections
- IPS Groove for Steel Pipe: AWWA C606
- Flange Adapters: ANSI B16.1 Class 125
Lead Free: 0.25% Maximum by Weight



HORIZONTAL →

For Regulatory Approval Status Visit
www.backflowdirectapprovals.com



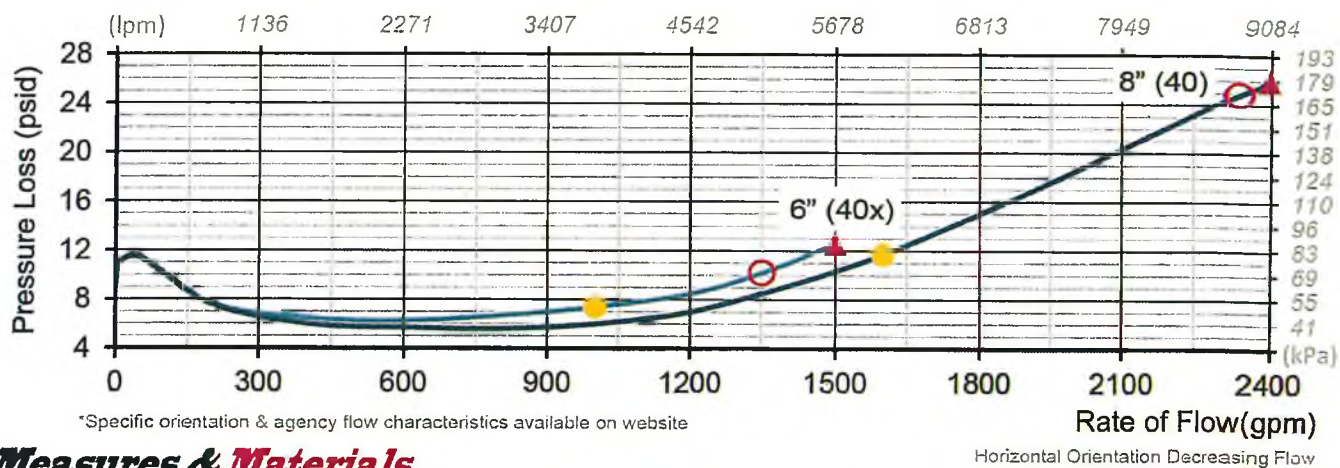
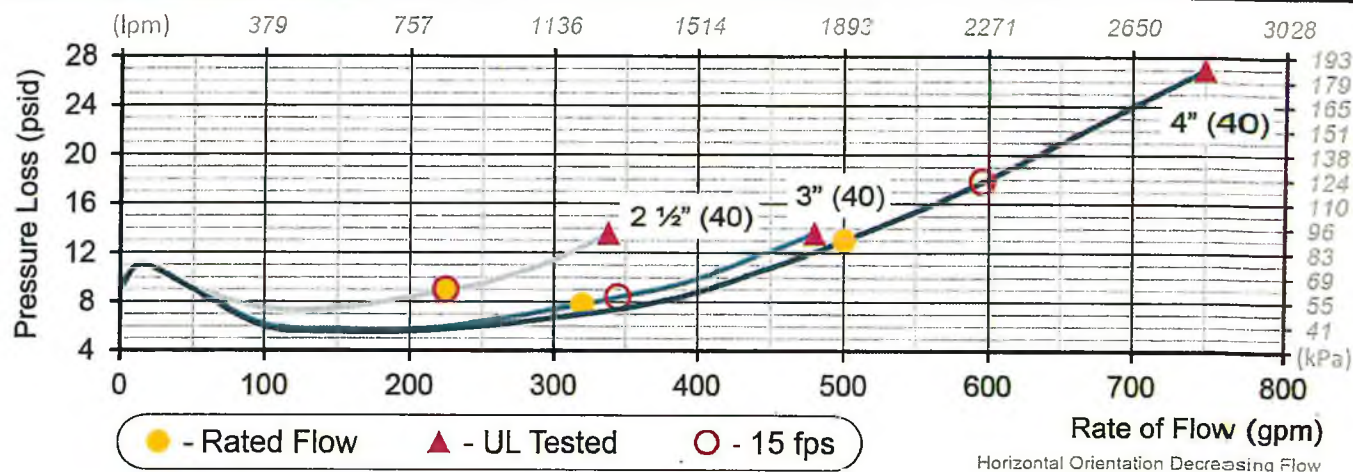
Engineering Specifications

The Deringer 40(x) Reduce Pressure (RP) valve shall utilize two independent Dual Action Check modules and two integral resiliently seated shut-off valves all of which shall be contained within a single rigid valve housing constructed entirely of 304 stainless steel. Both integral shutoff valves shall include pre-wired supervisory tamper switches contained within a weatherproof actuator housing approved for both indoor and outdoor use. Dual Action Check modules shall operate as a "poppet style" check under low flow conditions, operate as a "swing style" check under high flow conditions and utilize replaceable silicone elastomer sealing discs. Assembly test cocks shall be handle-less and operate via a tamper resistant actuator. Assembly shall have a single full access service port and cover with an "inline" replaceable elastomer seal. Relief Valve shall operate using only static seals (zero dynamic/sliding seals). All wetted surface Relief Valve components shall be constructed of stainless steel. Assembly shall be serviceable without special tools.

Job Name: _____
Job Location: _____
Engineer: _____
Approval: _____

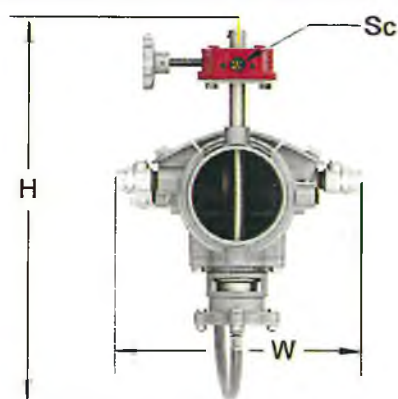
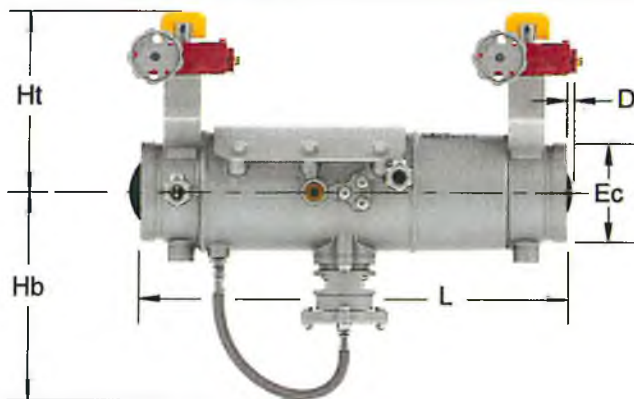
Contractor: _____
Approval: _____
Contractor's P.O. No: _____
Representative: _____

Flow Performance



*Specific orientation & agency flow characteristics available on website

Measures & Materials



Size	Model	Ht	Hb	L	Ec	D	H	W	Weight	Sc
in mm		in mm	in mm	in mm	in mm	in mm	in mm	in mm	lbs kg	NPT
2 1/2 65	40	7.1 180	8.7 221	18.7 475	2 1/2 65	0.0 0	15.8 401	11.0 279	42 19	1/2"
3 80	40	7.4 188	8.7 221	18.7 475	3 80	0.0 0	16.1 409	11.0 279	44 20	1/2"
4 100	40	7.9 201	8.7 221	18.7 475	4 100	0.2 5	16.6 422	11.0 279	46 21	1/2"
6 150	40x	9.6 244	10.7 272	28.4 721	6 150	1.0 25	20.3 516	13.8 351	126 57	1/2"
8 200	40	10.4 264	10.7 272	30.7 780	8 200	1.8 46	21.1 536	13.8 351	145 66	1/2"

Valve Housing: 304 Stainless Steel

Valve Cover: 304 Stainless Steel

SOV Disks: EPDM/304SS

SOV Shafts: 304 Stainless Steel

SOV Bearings: Teflon/Bronze

Non Wetted Bolts: Grade 8 Zinc Plated

Wetted Fasteners: 18-8 Stainless Steel

Check Disks: Silicone (NSF)

Check Springs: 17-7 Stainless Steel

Check Pins: 17-7/18-8 Stainless Steel

Check Seats: Noryl Polymer (NSF)

O-Rings: Buna-N (NSF)

Section D. Floodplain Management Variance Criteria

1. the danger to life and property due to flood damage - this building and septic system will be anchored and flood proof (see attached design) and will not be of danger to life and property.
2. the danger that materials may be swept onto other lands to the injury of others - building and septic system will be properly anchored. A DNR approved backflow assembly will be installed to prevent waste from entering the flood waters. The church just a few yards from where this restroom will be also has a septic tank positioned in a similar location. There have been no issues with their septic tank and we have hired the same gentleman, Bandy Dalton, to install ours.
3. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner - this building will be flood proofed in accordance with FEMA standards. Flood damage should be very minimal. Anticipate a quick cleaning to get it back in operation.
4. the importance of the services provided by the proposed facility to the community - the campground restroom will serve an area that is divided from the rest of the campground by State Highway W. This poses a safety issue for campers and children during the day and especially at night. It will also take some of the load off our main bath house. Many people from near and far enjoy the nature and beauty at Beaver Creek.
5. the necessity to the facility of a waterfront location - this is a campground because of its prime waterfront location. Safe access to restrooms are necessary for our day and overnight customers.
6. the availability of alternative locations, no subject to flood damage, for the proposed use - we do have another bath house not in a flood zone but feel we need another for the safety of our customers camping in the area across from State Hwy W.
7. the compatibility of the proposed use with existing and anticipated development - though this building is flood proofed it will match our other log facilities in appearance. This restroom will enhance the property's current use.
8. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area - not sure if there is a plan for this area? However, we have a business emergency plan and when heavy rains or flooding is anticipated we vacate the campground.
9. the safety of access to the property in times of flood for ordinary and emergency vehicle - this building will not obstruct any access to the property or to the bridges that surround it. Nobody should be in that area during flooding.
10. the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, if applicable, expected at the site - we anticipate flooding as high as 5 feet, standing water (15-20cfps) as it is back water, to rise as quickly as a couple of hours and return to normal within 8 hours after hitting it greatest height. Prior experience with flooding in this area leads us to believe that there will be minimal sediment.
11. 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,

streets, and bridges - there will be no cost. Water is from our well, electricity is solar, sewer is septic. No governmental services will be utilized and this building is not eligible for FEMA flood insurance.



BOA Brownbranch Holdings LLC













