



**OCONEE COUNTY**  
**BOARD OF ZONING APPEALS**  
415 S. Pine St. Walhalla, SC 29691  
864.638.4218  
OconeeSC.com  
planninginfo@oconeesc.com

**BOARD MEMBERS**

John Eagar, Chairman, At-Large	Jim Henderson, District 1
Gwen Fowler, District 2	Bill Gilster, District 3
Jason Cox, District 4	Tim Mays, District 5
Wayne McCall, At-Large	

**AGENDA**

Wednesday, December 17, 2025 – 6:00 PM  
Oconee County Council Chambers

1. Call to Order
2. Approval of Minutes: November 24, 2025 meeting
3. Revision of the 2026 Meeting Calendar
4. Brief statement about rules and procedures
5. Variance application VA25-000019 - David Irvine requests relief from Sec. 16-122 to build over the floodplain less than 3 feet above the base flood elevation. TMS 052-03-06-010; Address: 331 Time Out Pl. Tamassee, SC 29686.
6. Adjourn

*The meeting will be broadcasted live on the County's YouTube channel, which can be found on the County's website at [www.oconeesc.com](http://www.oconeesc.com).*



**OCONEE COUNTY**  
**BOARD OF ZONING APPEALS**  
415 S. Pine St. Walhalla, SC 29691  
864.638.4218  
OconeeSC.com  
planninginfo@oconeesc.com

#### **BOARD MEMBERS**

John Eagar, Chairman, At-Large	Jim Henderson, District 1
Gwen Fowler, District 2	Bill Gilster, District 3
Jason Cox, District 4	Tim Mays, District 5
Wayne McCall, At-Large	

#### **STAFF**

Elise Dunaway

#### **MINUTES**

Monday, November 24, 2025 – 6:00 PM  
Oconee County Council Chambers

- 1. Call to Order** – Mr. Eagar called the meeting to order at 6:00 PM.
- 2. Motion to approve the minutes from October 27, 2025** – Mr. Gilster made a **motion** to approve the minutes; seconded by Mr. McCall. Mr. Eagar called for a vote. The motion passed 6-0.
- 3. 2026 Meeting Calendar Revision** – Mr. McCall made a motion to accept the revision to the 2026 Meeting Calendar. Seconded by Mr. Cox. Approved Unanimously.
- 4. Brief statement about rules and procedures** – Mr. Eagar outlined the proceedings of the meeting going forward:
  - The applicant will provide a presentation regarding the needs for the variance for 5-minutes with the Board having the ability to grant more time if needed.
  - The Board will ask questions after each presenter
  - The staff will address any additional issues
  - Citizen comments will be allowed for period of 3-minutes each with the Board's request that the speakers not repeat what others are saying, but rather concur or state other facts not previously presented
  - There will be an applicant rebuttal period if necessary
  - The Board will ask any further questions before deliberations
  - Once the Board begins its deliberations, there will be no further input from the floor. and the Board will begin it's voting on four questions, and a negative vote on any one of the four questions will require a denial of the variance or special exception.

*The meeting will be broadcasted live on the County's YouTube channel, which can be found on the County's website at [www.oconeesc.com](http://www.oconeesc.com).*

Rev. 07/2025



**OCONEE COUNTY**  
**BOARD OF ZONING APPEALS**  
415 S. Pine St. Walhalla, SC 29691  
864.638.4218  
OconeeSC.com  
planninginfo@oconeesc.com

**5. Special Exception application SE25-000002 - Russell Armstrong requests a roof-mounted sign per section 32-521(5). TMS 054-00-02-061; Address: 13447 N Hwy 11 Salem, SC 29676.**

**Applicant Comments:**

Stated Name: Daniel Hamby from Signs Unlimited and Matt Reynolds with McNeelys.

Mr. Hamby explained to the members that the sign is in the best place on the building.

Mr. Reynolds explained the sign is in the best place on the building due to the way the building is built.

**Staff comments:** None

**Public comment:** NA

**Applicant rebuttal:** NA

**Board Questions/ Discussion:** NA

**Consideration of SE25-000002:**

- I. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
  - a. Motion – Mr. Cox made a motion in the affirmative, seconded by Mr. Mays. No discussion
  - b. Vote

In-favor	Opposed
6	0

- II. These conditions **do not** generally apply to other property in the vicinity:
  - a. Motion – Mr. Cox made a motion in the affirmative, seconded by Mr. McCall. No Discussion
  - b. Vote

In-favor	Opposed
6	0

*The meeting will be broadcasted live on the County's YouTube channel, which can be found on the County's website at [www.oconeesc.com](http://www.oconeesc.com).*



III. Because of these conditions, the application of this chapter to the particular piece of property **would** effectively prohibit or unreasonably restrict the utilization of the property.

- a. Motion – Mr. McCall made a motion in the affirmative, seconded by Mr. Mays. No discussion.
- b. Vote

In-favor	Opposed
6	0

IV. The authorization of a variance **will not** be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.

- a. Motion – Mr. McCall made a motion in the affirmative, seconded by Mr. Cox. No Discussion
- b. Vote

In-favor	Opposed
6	0

V. Mr. Eagar asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved**.

- a. Motion – Mr. Gilster made a motion; seconded by Mr. McCall.
- b. Discussion regarding conditions attached to the approval: NA
- c. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the variance request was **Approved**.



**6. Variance application VA25-000019 - David Irvine requests relief from Sec. 38-10-2 Rear Setback for addition. TMS 052-03-06-010; Address: 331 Time Out Pl. Tamassee, SC 29686.**

**Applicant Comments:**

Stated Name: David Irvine

Mr. Mockabee presented his request sharing the unique conditions of the parcel. Mr. Irvine explains how the addition will not impact those around him or the lake.

**Staff comments:** Ms. Dunaway noted that Mr. Irvine included 2 requests in his application however due to lack of public notice only one item will be heard. The second request will be heard at a special meeting on December 17, 2025 at 6PM in Council Chambers.

**Public comment:** Letters from Kendrick Nix, Sandy Reece, and Tim Perkins are included in the back up material.

**Applicant rebuttal:** NA

**Board Questions/ Discussion:**

**Consideration of VA25-000019:**

- I. There **are** extraordinary and exceptional conditions pertaining to the particular piece of property:
  - a. Motion – Mr. Cox made a motion in the affirmative, seconded by Mr. McCall. No discussion.
  - b. Vote

In-favor	Opposed
6	0

- II. These conditions **do not** generally apply to other property in the vicinity:
  - a. Motion – Mr. Mays made a motion in the affirmative, seconded by Mr. Cox. No Discussion.
  - b. Vote

In-favor	Opposed
6	0

The meeting will be broadcasted live on the County's YouTube channel, which can be found on the County's website at [www.oconeesc.com](http://www.oconeesc.com).



III. Because of these conditions, the application of this chapter to the particular piece of property **would** effectively prohibit or unreasonably restrict the utilization of the property.

a. Motion – Mr. Gilster made a motion in the affirmative, seconded by Mr. McCall. No discussion.

b. Vote

In-favor	Opposed
6	0

IV. The authorization of a variance **will not** be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.

a. Motion – Mr. Cox made a motion in the affirmative, seconded by Mr. McCall. No Discussion

b. Vote

In-favor	Opposed
6	0

V. Mr. Eagar asked – Based on the evidence presented to the Board, do I hear a motion that the proposed variance be **Approved**.

a. Motion – Mr. McCall made a motion; seconded by Mr. Cox.

b. Discussion regarding conditions attached to the approval: NA

c. Vote

In-favor	Opposed
6	0

Mr. Eagar noted that the variance request was **approved**.

**7. Adjourn- Motion by Mr. Gilster. Second by Mr. McCall. Approved 6-0**

BZA	
Date	Makeup
1/26/2026	
2/23/2026	
3/23/2026	
4/27/2026	
5/25/2026	Cancelled
6/22/2026	
7/27/2026	
8/24/2026	
9/28/2026	
10/26/2026	10/13/2026
11/23/2026	
12/21/2026	
1/25/2027	

Highlight is only revision needed.  
Early voting is 10/19-10/31

Navigate to... 

## APPLY FOR A DEVELOPMENT

Home / Services / Development Project / Apply for a Development

| indicates a required field

| Project Type:

Variance Application 

| Sub Type:

BZA 

| Project Description:

Lake Cherokee Cottage- Revision and addition

| Is this application for a new or existing project?:

A new project 



| Address:

331 TIME OUT PL



TAMASSEE

SC

29686

Parcel #:

052-03-06-010

Property Owner:

IRVINE DAVID L

ENTER A DIFFERENT ADDRESS →

Property Information

Gate Code (if applicable):

na

Subdivision:

LAKE CHEROKEE

Lot:

10 and 11

Base Zoning District:

lake Cherokee

Overlay:

NONE

Fire District:

Pickett Post / Camp Oak, 14

Flood:

YES

SC Aeronautics Review:

Variance and Special Exception applicants should informally meet with property owners potentially impacted by the request to explain the request and answer any questions. This is not mandatory.

Code section from which a variance is requested:

flood, back line variance

Property Owner:

IRVINE DAVID L

Property Owner Email:

fmairvine@msn.com

Property Owners Phone #:

3526342054

You must attach a scaled drawing of the property that reflects, at a minimum, the following:

(a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the requested variance; (c) existing buildings and other relevant improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested variance.

Upload Supporting Documentation Here:

Select File

The applicant and/or property owner affirms that the applicant or someone acting on the applicants behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the Community Development office by separate inquiry determines that such a restriction exists, it shall notify the applicant. If the applicant does not withdraw or modify the application in a timely manner, or at to have the restriction terminated or waived,

then the Community Development office will indicate in its report to the Board of Zoning Appeals that granting the requested change would not likely result in the benefit the applicant seeks.

To that end, the applicant hereby affirms that the tract or parcel of land which is subject of the attached application is (see below) is not (see below) restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.

Application is:

requesting variances by zoning board

Application is not:

**APPLICANT RESPONSES TO SECTION 38-7.1**

Describe the extraordinary and exceptional condition (such as size, shape, and topography) that pertains to the subject property that does not generally apply to other land or structures in the vicinity.:

### Revision and addition to existing lake Cherokee cottage

This is a unique structure. The original portion of the house was built in the late 1960's/early 70's. It is a 24x31 ft. structure built on top of a boat house containing a great room, bath and kitchen area (744 sq. ft). 3/4 of this structure is built on top of the lake with a 4 foot deck encircling the structure. No Hvac and as a summer getaway people slept in the great room.

Sometime later ? late 1970's or early 1980's an addition containing 2 bedrooms and a closet was added on the back of the initial existing structure 12x24 feet (288 sq feet) making a total of 1032 square feet i the existing structure.

Since purchasing the property in the early 1990's a number of improvements have been made: a new kitchen, windows replaced, HVAC-much more livable but it still is still not up to our desired standards. We plan to make it a home and not just a summer cottage yet we wish to maintain the original unique appeal of the " Lake House" We want to maintain the original great room over the water but improve our living quarters which remains a two bedroom but making them larger.

Two variances are requested:

1. House is currently built above a flood plane. We will provide a FEMA flood elevation report which is being done by David Burrell and company who is a licensed surveyor. Despite numerous storms including Helene the lake has never significantly flooded and the house floor which sits 7 feet above mean high water and has never flooded. A number of dam improvements, some of which have been done and planned in the next year has decreased any chance of flood.

2. Screened back porch across the new addition is less than the 10 feet as specified from our back line. Our back line is the lake. The house is already built on top of the lake. I have checked with the architectural committee of Lake Cherokee and they have no issue with my building being close to the back line. I will provide documentation from them. I have talked to each neighbor and they have no issues with my planned project and will provide letters from them.

We are planning to build out towards the road by 4 feet ( East ) and then 32 feet to the North....attached to the north side of existing structure, with a back porch across the west side addition...which is the portion that requiring a line variance against the lake

Building further East is limited by a hill and Septic location and thus the addition to the North.

We wish to keep the original " Greatroom" intact as it originally was built but with improvements and maintain the original "Lake Cottage " appeal and uniqueness.

Are the circumstances affecting the subject property the result of actions by the applicant/owner? Explain.:

none

Describe the ways in which application of the requirement(s) of the ordinance effectively prohibit or unreasonably restrict the utilization of the subject property.:

Limited building space to maintain the original "lake cottage" character

Will the proposed variance result in an activity that will not be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance. Explain.:

It will not affect in any way to adjacent properties. It will be an improvement overall to the lake.

General Contractor:

IRVINE DAVID L

ICC 113.2 Limitations on authority: An application for appeal shall be based on a claim that the true intent of this code of the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

Comments:

You must read and agree to our electronic signature policy [Electronic Signature Policy \(../Documents/153/sigpolicy.pdf\)](#)

I have read and agree to the terms of the Electronic Signature Policy

OCONEE COUNTYS APPROVAL, PERMITTING, AND/OR INSPECTION(S) OF THIS PROJECT DOES NOT MEAN THAT THE PROJECT IS IN COMPLIANCE WITH ALL APPLICABLE SUBDIVISION AND/OR HOMEOWNERS ASSOCIATION, OR SIMILAR ENTITYS, BUILDING AND LAND USE REQUIREMENTS OR RESTRICTIONS. BY SIGNING BELOW YOU ACKNOWLEDGE THAT COMPLIANCE WITH ANY SUCH STANDARDS IS YOUR RESPONSIBILITY.

**SUBMIT**

**SAVE FOR LATER**

© 2003 - 2025 ONLINE SOLUTIONS, LLC



[Terms of Use \(TermsofUse.pdf\)](#)  
[Privacy Policy \(PrivacyPolicy.pdf\)](#)

November 17, 2025

From: David and Melanie Irvine  
331 Time Out Place  
Tamassee, SC 29686

RE: Zoning Request  
331 Time Out Place  
052-03-06-010  
Lots 10 & 11  
Tamassee, SC 29686

Variance Request (2)

1. Build within 10 feet back line (lake) encroachment but not over.
2. Build over flood plain – less than 3 feet above maximum flood level.

Description of house:

Current structure was built as a single room (great room and bathroom) as a “lake house”. It was built over the water above the boat house. This portion was built in the 1960’s. Later in the 70’s a 2 -bedroom addition was added. Our plan is to add 4 feet (east) on existing structure and 32 feet to the side (north).

Our goal is to maintain the original structure and add on to make the house into our permanent home and a much more livable structure. We wish to make our “lake house” addition handicap accessible.

Variance 1:

The back line of the property is the lake. Of the existing original structure ¾ is built out over the lake along with decks and dock.

I have reviewed our plans with the lake Architectural Committee. They (as stated in attached letter) have no objection to our building plans. The structure that will abut the lake is a screened porch. There are already numerous structures along the lake that abut or are over the lake.

My neighbors have no objections to building plans per their letters.

Variance #2

Allow building floor height to be less than 3 feet above maximum flood plain.

- Existing structure is at 18 inches.
- Current top of floor is 1083 altitude.
- Maximum flood plain is set at 1081 altitude.
- Height of dam is 1081 altitude.

The dam was originally built in 1957. Dam had major improvements in 2005. A new spillway and a larger drain pipe with adjustable valve was added at that time. Dam repair/revision of spillway is scheduled for December/January of this 2025/2026 with further spillway improvement.

- Spillway height is 1075.5
- Normal pool is 1074.
- 100 year recorded high was 1079.6 which occurred prior to 2005 dam revisions.

The house has been built for more than 60 years and has never been flooded. Even with Hurricane Helene when we received a record amount of rain the water did not overrun our seawall.

The lake Architectural Committee along with the Dam Committee see no significant risk of flooding with the current plans.

Thank you for your considerations.



Melanie Dornie

To Zoning Board Oconee County

Concerning zoning variance of  
331 Time Out Place. I, Kendrick Nix,  
next door neighbor, 329 Time Out Place,  
have no issues with David Irvine  
building against back line of property (lake).  
My family have owned the property  
since 1963 and have no knowledge  
of any flooding ever occurring at either  
location.

Kendrick Nix

128 Friendship Rd, Seneca, SC 29678 - Mailing

Kendrick N. Nix

November 10, 2025

From: Sandy Reece  
335 Time Out Place  
Tamassee, SC 29686

RE: Zoning Request  
331 Time Out Place  
Tamassee, SC 29686  
David and Melanie Irvine

To the Zoning Board of Oconee County,

This is in regard to the variance requests:

1. Build against back line of property.
2. Build at existing height above flood line.

I am the immediate neighbor to the north of the above property and have no objections to the above variances. In addition I know of no significant flooding of their property even with the last hurricane Helene.

Sandy Reece



Cherokee Lake Fishing & Boating Club  
P.O. Box 17  
Tamassee, SC 29686

November 14, 2025

To whom it may concern,

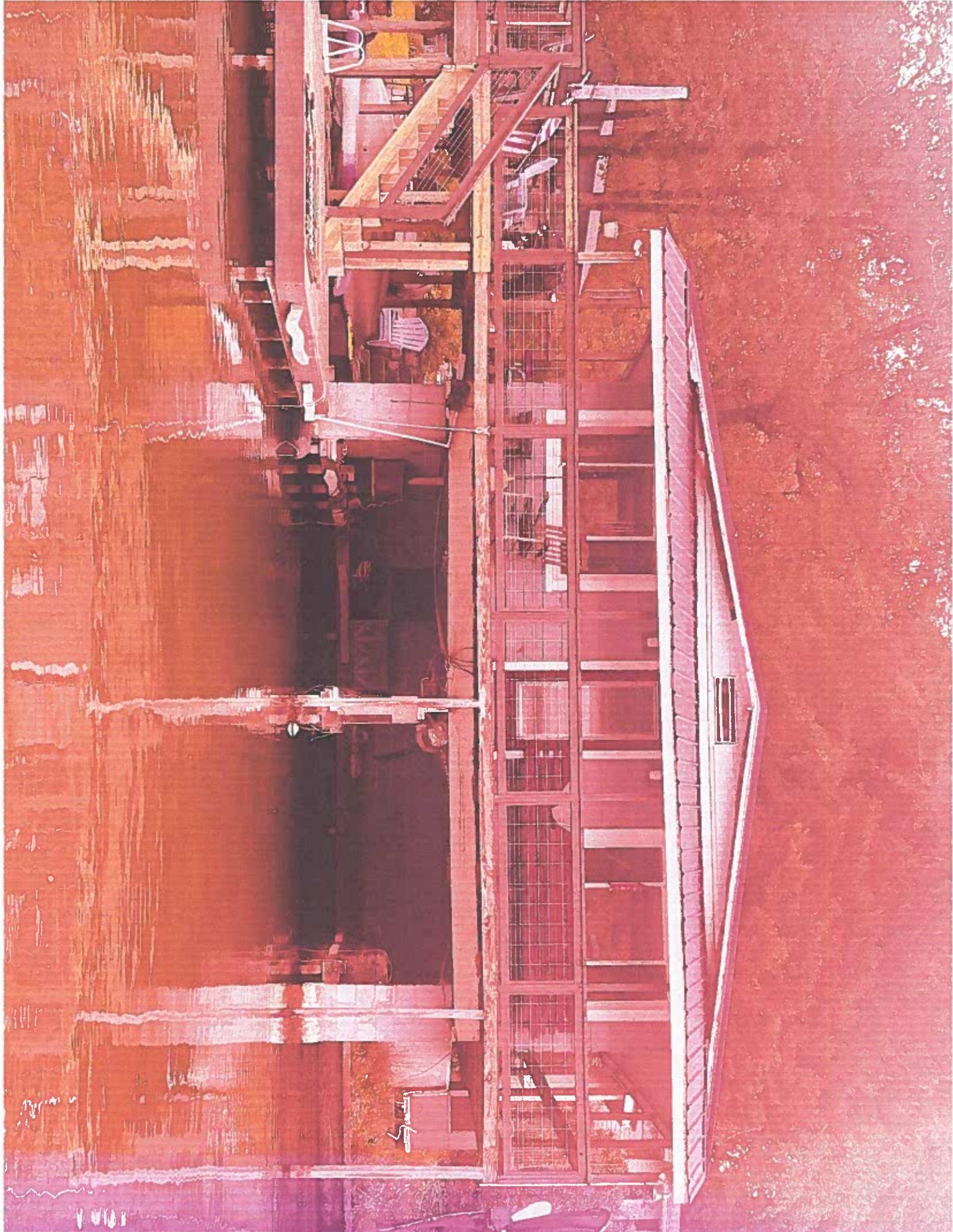
The Cherokee Lake Fishing and Boating Club Association in Oconee County has reviewed the plans for the addition and renovation of Dave Irvine's house at 331 Time Out Place. The Association has approved his drawings and has no issue with the fact that the addition will encroach on the 10' setback required at the back of the lot.

Also, concerning the flood elevation requirement, based on the elevation of the dam, there is no significant risk of flooding to this property.

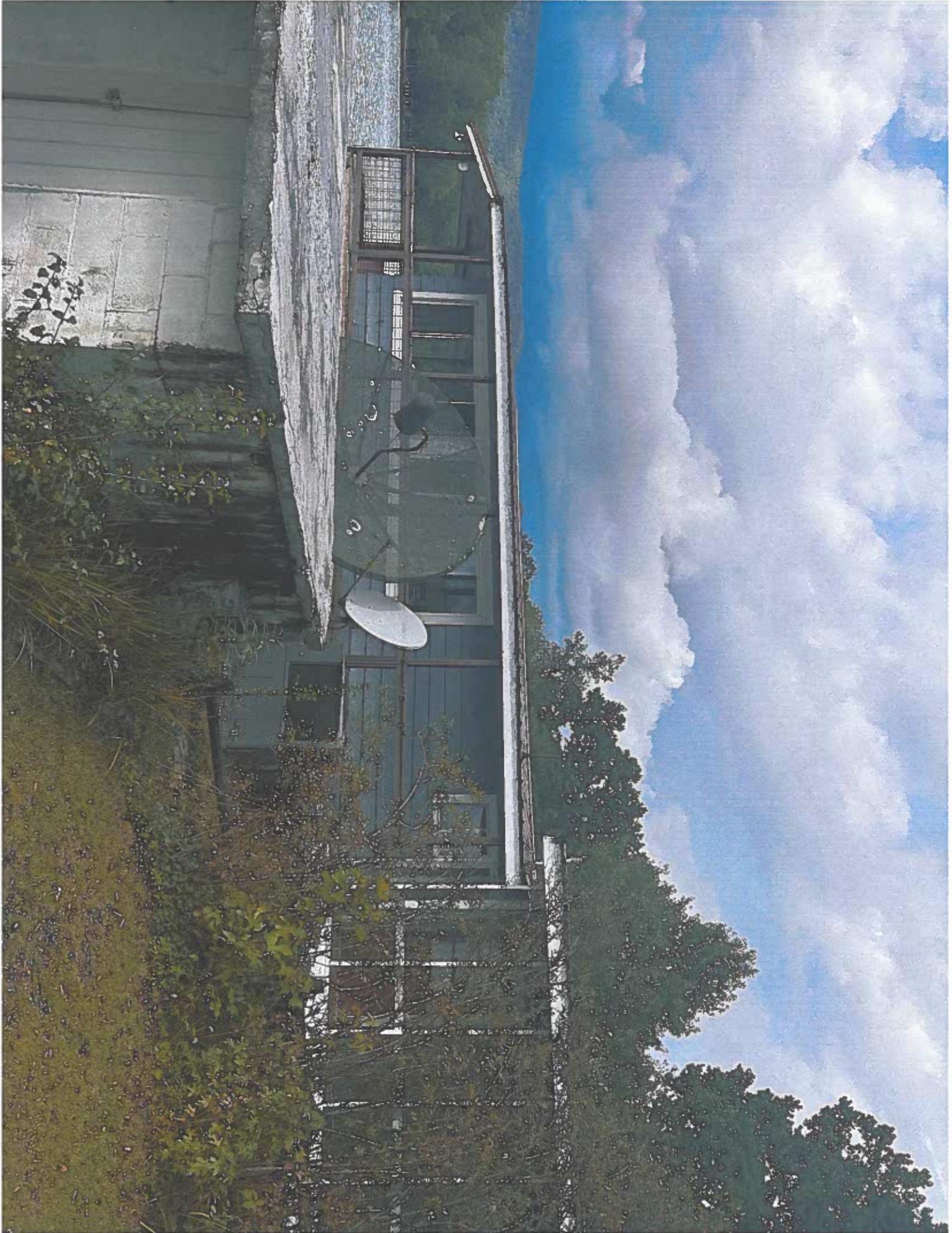
Sincerely,  
Tim Perkins  
Chairman Architectural Control Committee







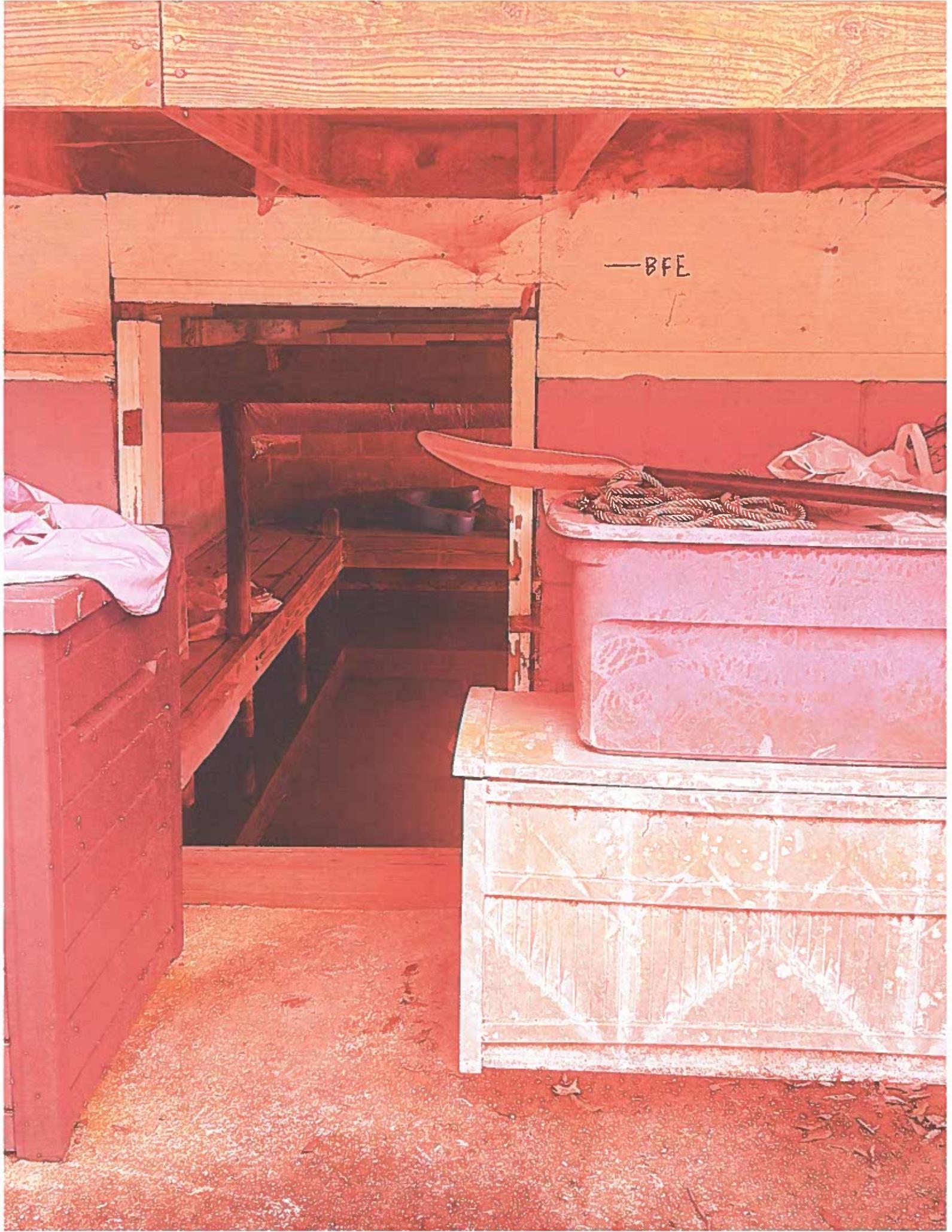








—BFE



# Oconee County, SC

## Parcel Information

**Parcel ID** 052-03-06-010  
**Neighborhood** 2200599 - Lake Cherokee Waterfront  
**Property Address** 331 TIME OUT RD  
**Legal Description** LOTS 10 & 11 LAKE CHEROKEE  
 (Note: Not to be used on legal documents.)  
**Acres** 0.52  
**Class**  
**Tax District** PICKETT POST/CAMP OAK (District 14)  
**Exemptions**

[View Map](#)

## Owner

**IRVINE DAVID L**  
**331 TIMOUT PL**  
**TAMASSEE, SC 29686**

## Land

Land Use	Acres	square footage	Frontage	Depth
O - Other	0.52	22,651	0	0

## Residential Improvement Information

**Style** 1 Family (Detached)  
**Heated Square Feet** 1032  
**Interior Walls** Finished  
**Exterior Walls** Other  
**Foundation** Crawlspace  
**Attic Square Feet** 0  
**Basement Square Feet** 0  
**Year Built** 1974  
**Roof Type** Asphalt Shingles  
**Heating Type** Cent Ht/AC; Ht Pmp  
**Number Of Bedrooms** 2  
**Number Of Full Bathrooms** 1  
**Number Of Half Bathrooms** 0  
**Value** \$68,460  
**Condition** Average

## Accessory Information

Description	Year Built	Dimensions/Units	Identical Units
Equipment Shed:Steel\No Slab	1980	6x10 / 0	0
Dock: Steel-Boat Slip-3 AV	1974	12x20 / 0	0

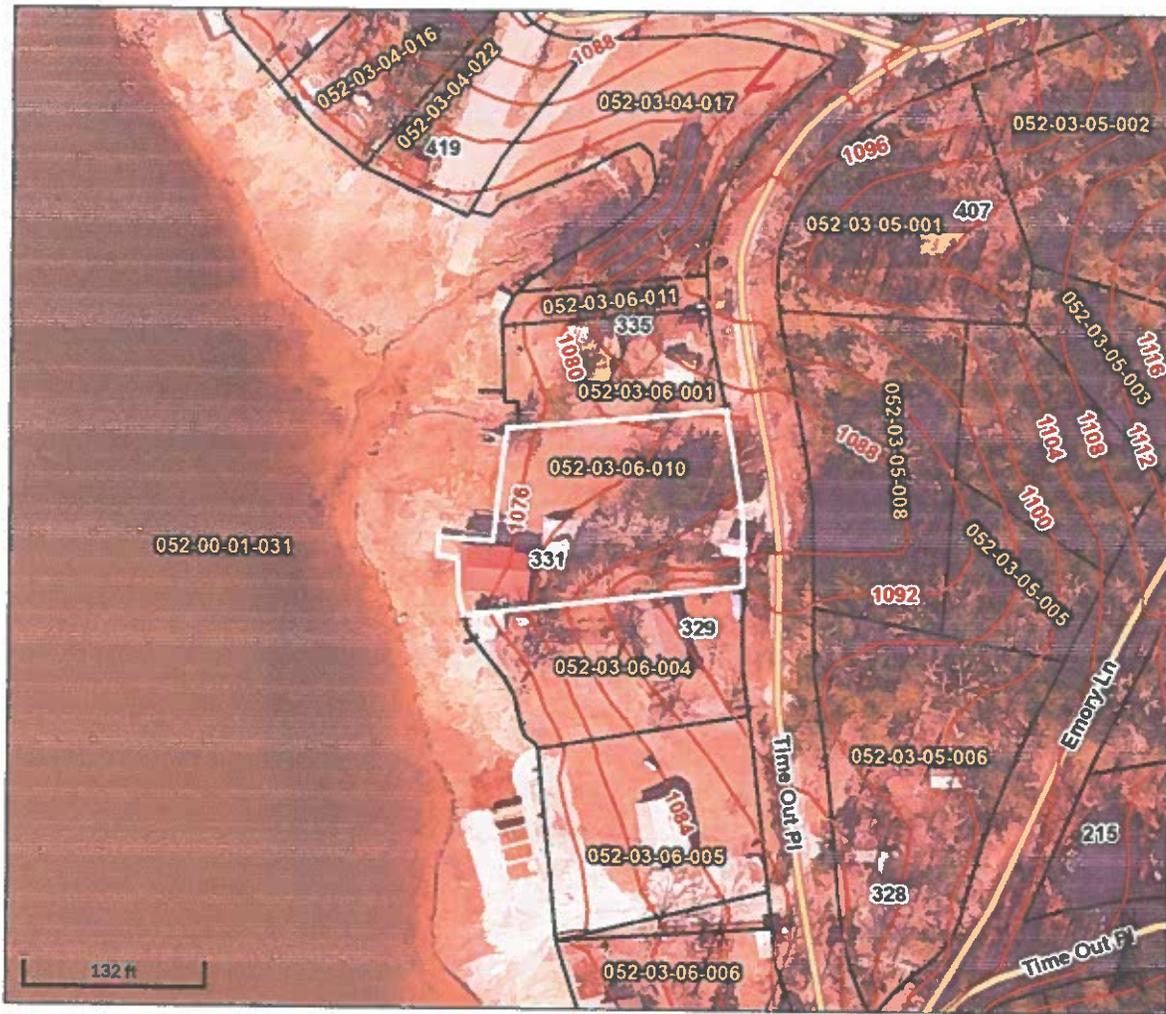
## Valuation

<b>Assessed Year</b>	2025
<b>Land Value</b>	\$115,440
<b>Improvement Value</b>	\$68,460
<b>Accessory Value</b>	\$2,510
<b>Total Value (Market)</b>	\$186,410
<b>Land Value</b>	\$110,190
<b>Improvement Value</b>	\$65,490
<b>Accessory Value</b>	\$2,510
<b>Total Value (Capped)</b>	\$178,190

## Sketches







**Overview**



**Legend**

- Parcels
- Parcel Numbers
- Address Numbers
- Landhook
- Roads
- Topography

<b>Parcel ID</b>	052-03-06-010	<b>Alternate ID</b>	1622	<b>Owner Address</b>	IRVINE DAVID L	<b>Last 2 Sales</b>			
<b>Sec/Twp/Rng</b>	n/a	<b>Class</b>	n/a		331 TIMEOUT PL	<b>Date</b>	<b>Price</b>	<b>Reason</b>	<b>Qual</b>
<b>Property Address</b>	331 TIME OUT RD	<b>Acreage</b>	0.52		TAMASSEE, SC 29686	n/a	0	n/a	n/a
						n/a	0	n/a	n/a

**District** 14  
**Brief Tax Description** LOTS 10 & 11 LAKE CHEROKEE  
 (Note: Not to be used on legal documents)

Date created: 10/4/2025  
 Last Data Uploaded: 10/3/2025 5:13:23 PM

Recorded this 23 day of Oct  
A. D. 19 91 in Vol. 671  
Page 25 and Certified:

BOOK 671 PAGE 25

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE  
THIS PROPERTY DESIGNATED AS

MAP 152 SUB 03 BLK 04 PARC. 022

ON OCONEE COUNTY TAX MAPS

Ray A. Williams  
OCONEE COUNTY ASSESSOR

Oconee County, S.C.

FILED FOR RECORDING  
OCONEE COUNTY  
DEEDS  
OCT 23 2 10 PM '91  
CLERK OF COURT

MISSISSIPPI  
Cannon  
10 cc fee  
8.80  
4.40

WHEREAS, Garold L. Sego and Patricia Seggo acquired the following described property as tenants in common by Deed dated December 30, 1974; Whereas, Garold L. Seggo executed a Quitclaim Deed to Patricia Seggo but said deed was not properly witnessed or probated; WHEREAS, Garold L. Seggo died testate in Johnson County, Indiana, on September 7, 1979 and his Last Will and Testament was thereafter admitted for probate in Johnson County, Indiana; WHEREAS, Patricia Seggo was the sole beneficiary under the Will and together with the other grantors herein are the sole heirs at law and devisees of Garold L. Seggo:

KNOW ALL MEN BY THESE PRESENTS, that

PATRICIA SEGO, JESSLYN SEGO REYNOLDS, AND SUSAN SEGO WAYMAN

in consideration of Four Thousand (\$4,000.00) Dollars and no other considerations, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto:

DAVID L. IRVINE, his heirs and assigns, forever:

All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Oconee, Tamassee District, and being known and designated as Lot #11 of Lake Cherokee Subdivision according to plat of survey prepared by Wayne R. Garland, RLS, Landmark Surveys, Inc., recorded April 3, 1986 in Plat Book P-53 at Page 101, records of Oconee County, to which plat reference is hereby made for a more complete and accurate description.

This is the property conveyed to Garold L. Seggo and Patricia Seggo by deed of Glenn N. Hendricks and Margorie S. Hendricks recorded in Deed Book 12-C at page 455, records of Oconee County; Garold L. Seggo thereafter conveyed his interest to Patricia Seggo by Quitclaim Deed recorded in Deed book 13-0 at Page 204 in the Office of the Clerk of Court for Oconee County.

Together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee, and the grantee's heirs or successors and assigns, forever. And, the grantors do hereby bind the grantors and the grantors' heirs or successors, executors and administrators to warrant

OCONEE COUNTY

Doc. Tax in Am't.  
of \$ 4.40 Collected



BOOK 671 PAGE 26

and forever defend all and singular said premises unto the grantee and the grantee's heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the grantors' hands and seals this 7<sup>th</sup> day of OCTOBER, 1991.

SIGNED, sealed and delivered in the presence of:

[Signature]  
Witness  
Mark Alexander  
Witness

Patricia A. Sego (SEAL)  
Patricia Sego

[Signature]  
Witness  
Mark Alexander  
Witness

Jesslyn Sego Reynolds (SEAL)  
Jesslyn Sego Reynolds

[Signature]  
Witness  
Mark Alexander  
Witness

Susan Sego Wayman  
Susan Sego Wayman

Recorded by 25 day of Oct 1991  
Book 671 Page 3505  
Fee  
K. F. Williams  
Notary, Oconee County, S.C.

STATE OF INDIANA )  
COUNTY OF )

PROBATE

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named grantors sign, seal and as the grantors' act and deed, deliver the within written deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN TO BEFORE ME THIS 7<sup>th</sup> day of October, 1991

[Signature] (L.S.)  
Notary Public for Indiana  
My Commission Expires: April 18, 1994

The Grantee's Address is: 511 Shorecrest Drive  
Clemson, SC 29631

FILED FOR RECORD  
OCCONEE COUNTY  
OCT 23 2 11 PM '91  
CLERK OF COURT

FILED FOR RECORDS  
OCONEE COUNTY

Book 593 PAGE 261  
16 day of Oct A.D. 1989  
Vol. 593 No. 261

OCT 16 12 18 PM '89

Oconee County, S.C.

OCONEE COUNTY

STATE OF SOUTH CAROLINA

DEED

Doc. Tax in Am't

COUNTY OF OCONEE CLERK OF COURT

of \$48.40 Collected

WHEREAS, Garold L. Segó and Patricia Segó acquired the following described property as tenants in common by Deed dated September 6, 1974; WHEREAS, Garold L. Segó executed a Quitclaim Deed to Patricia Segó but said deed was not properly witnessed or probated; WHEREAS, Garold L. Segó died testate in Johnson County, Indiana, on September 7, 1979 and his Last Will and Testament was thereafter admitted for probate in Johnson County, Indiana; WHEREAS, Patricia Segó was the sole beneficiary under the Will and together with the other grantors herein are the sole heirs at law and devisees of Garold L. Segó;

KNOW ALL MEN BY THESE PRESENTS, that PATRICIA SEGO, JESSLYN SEGO REYNOLDS, AND SUSAN SEGO WAYMAN, for consideration of Ten (\$10.00) Dollars and other valuable considerations, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto:

*OCONEE COUNTY*  
*Canon*  
*4 p*  
*9/16/89*  
*48.40*

DAVID L. IRVINE, his heirs and assigns:

All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Oconee, Tamasee District, and being known and designated as Lot #10 of Lake Cherokee Subdivision according to plat of survey prepared by Wayne R. Garland, RLS, Landmark Surveys, Inc., recorded April 3, 1986 in Plat Book P-53 at Page 101, records of Oconee County, to which plat reference is hereby made for a more complete and accurate description.

This is the property conveyed to Garold L. Segó and Patricia Segó by deed of L. J. Powell, Jr., and William D. Powell by deed recorded in Deed Book 12-B at Page 127, records of Oconee County; Garold L. Segó thereafter conveyed his interest to Patricia Segó by quitclaim deed recorded in Deed Book 13-0 at Page 201 in the Office of the Clerk of Court for Oconee County.

Together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s') heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor's(s') heirs or successors, executors and



BOOK 543 PAGE 262

and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor's(s') heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s') heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the grantors' hands and seals this 26<sup>th</sup> day of September, 1989.

SIGNED, sealed and delivered in the presence of:

Katherine Wayman  
Witness  
Marlynn A. Rogers  
Witness  
Katherine Wayman  
Witness  
Marlynn A. Rogers  
Witness  
Katherine Wayman  
Witness  
Marlynn A. Rogers  
Witness

Patricia Sego (SEAL)  
Patricia Sego  
Jesslyn Sego Reynolds (SEAL)  
Jesslyn Sego Reynolds  
Susan Sego Wayman (SEAL)  
Susan Sego Wayman

STATE OF INDIANA )  
COUNTY OF Johnson )

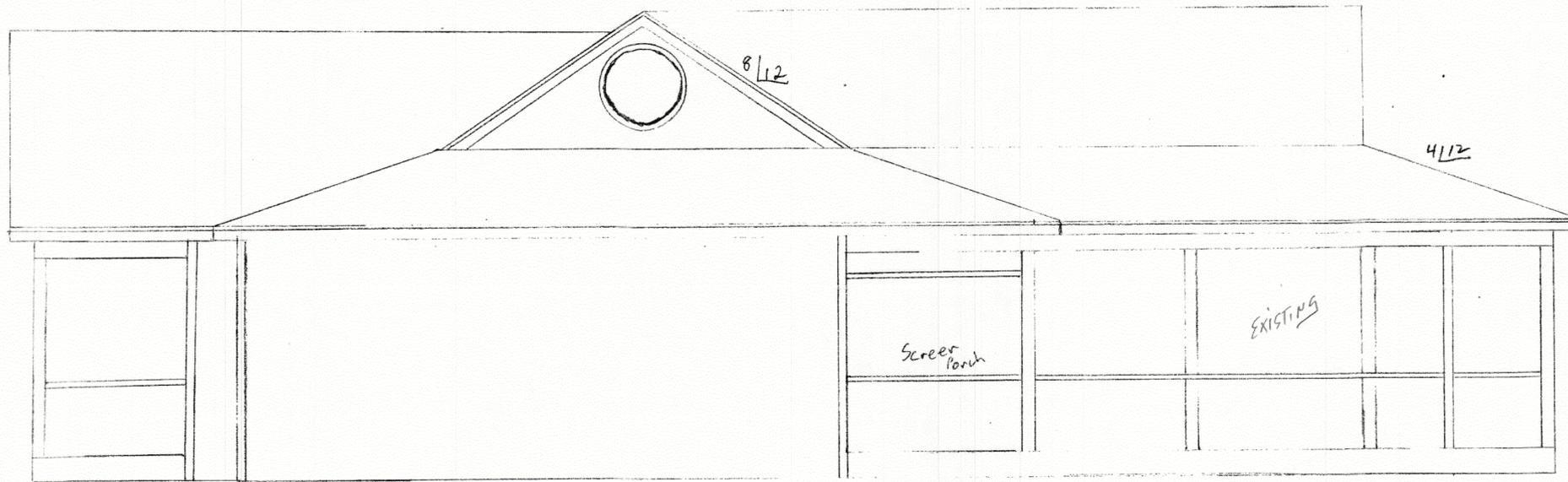
PROBATE

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named grantor(s) sign, seal and as the grantor's(s') act and deed, deliver the within written deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN TO BEFORE ME THIS  
26<sup>th</sup> day of Sept., 1989  
Virginia Chubb (L.S.)  
Notary Public for Indiana  
My Commission Expires: 11-1-92

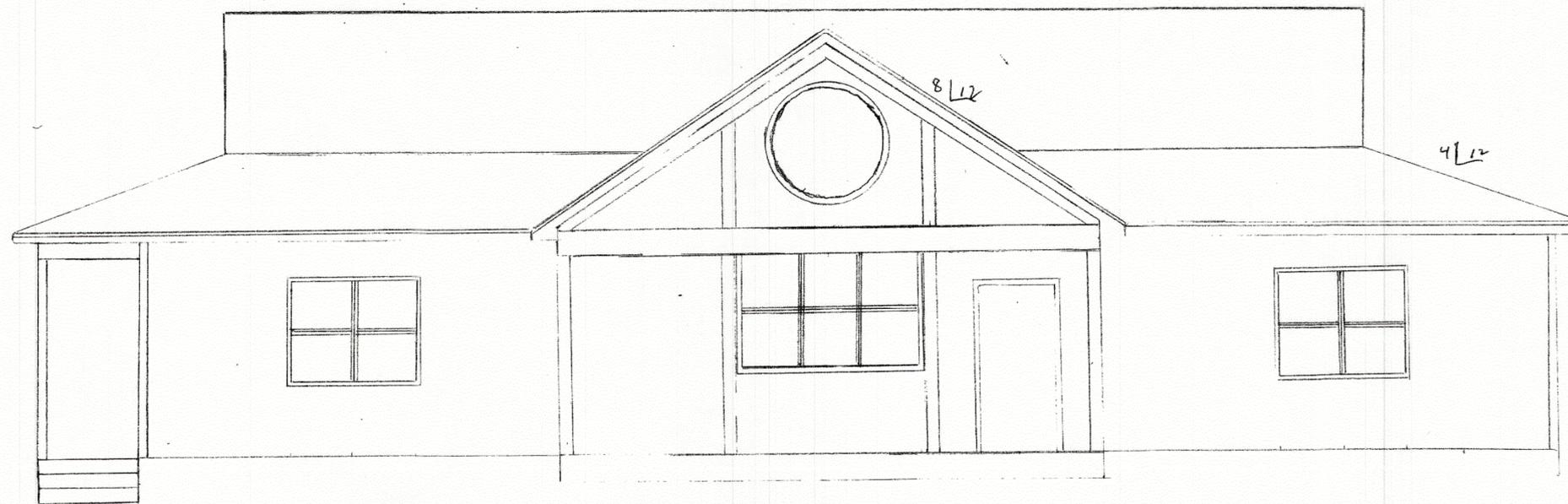
Katherine Wayman

The Grantee's Address is: 511 Shorecrest Drive  
Clemson, South Carolina 29631



Left side

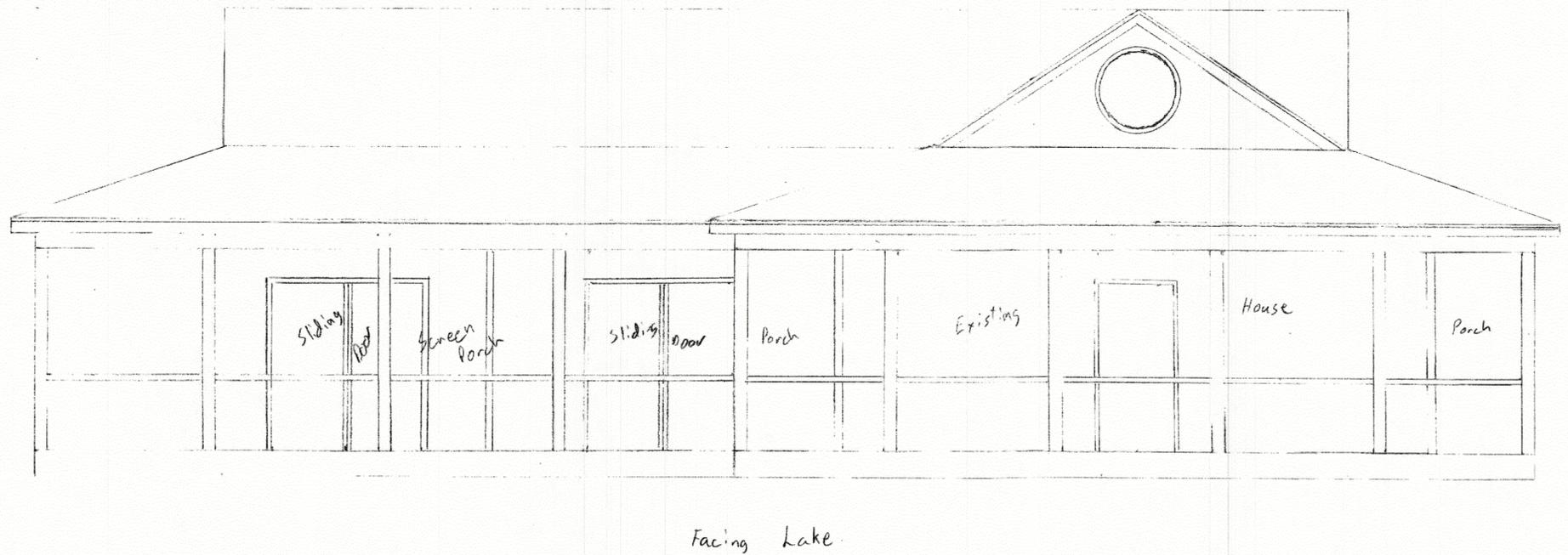
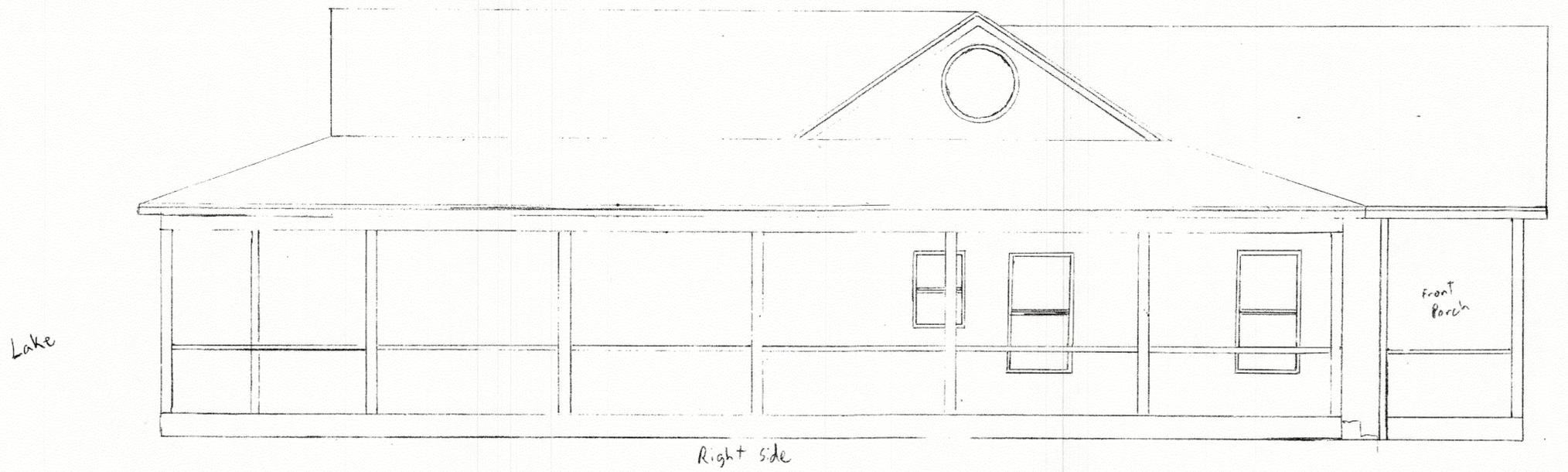
Lane →



Front

TOWARDS ROAD

331 Time out Place  
TAMMASEE, SC

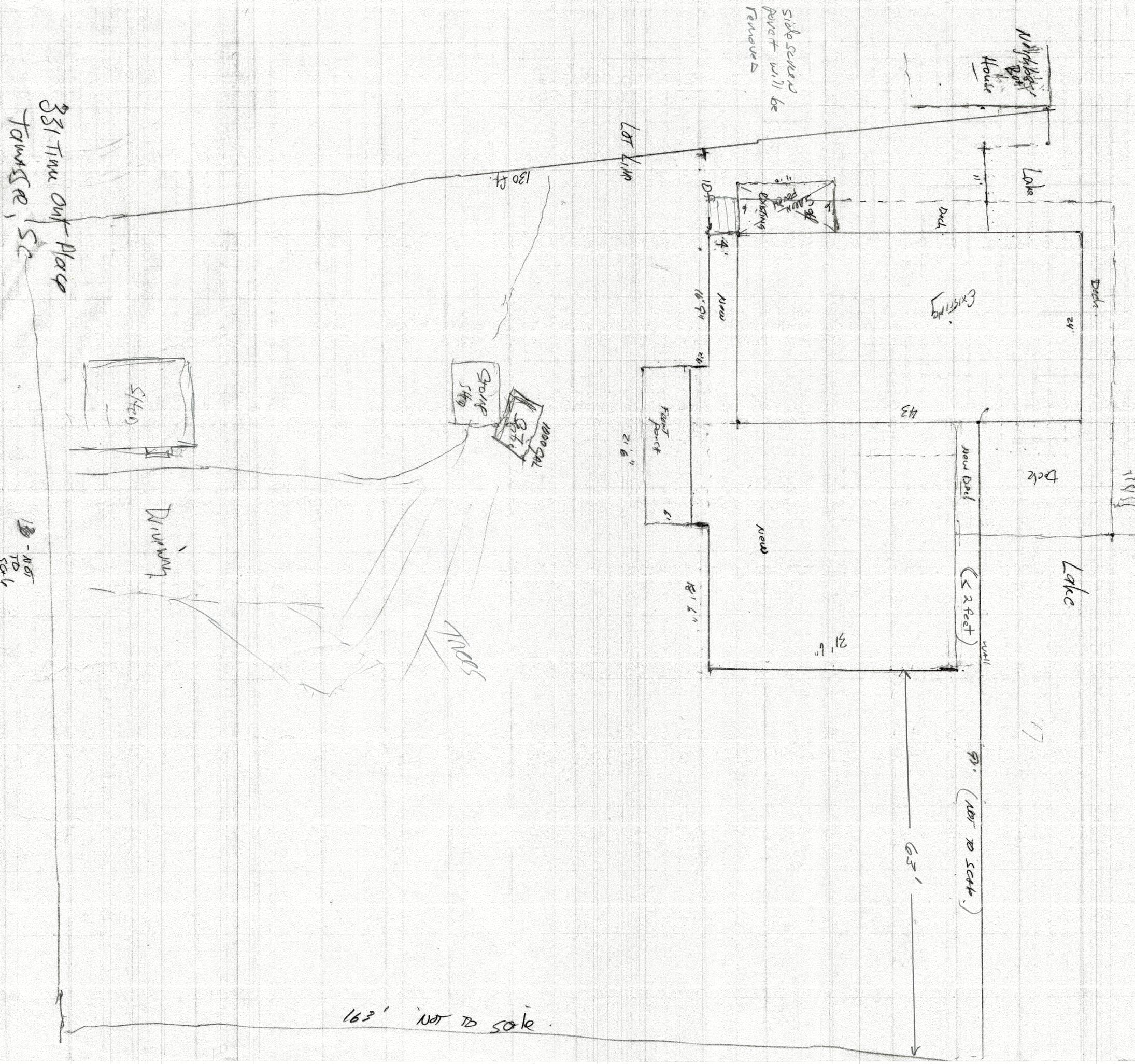


331 Time out Place  
TAMALCOO CI  
TAMALCOO CI



1" = 2 Feet

# Site Plan 331 Time Out Place



PARCELS ID 052-03-06-010

LOT 10411 Lake Cherokee  
David + Melanie Irvine

1" = 2 Feet  
NOT TO SCALE

ROAD

163' NOT TO SETBACK

Site Plan



National Flood Insurance Program

# Elevation Certificate and Instructions

**2022 EDITION**

---



**FEMA**

## ELEVATION CERTIFICATE AND INSTRUCTIONS

### PAPERWORK REDUCTION ACT NOTICE

Public reporting burden for this data collection is estimated to average 3.75 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20742, Paperwork Reduction Project (1660-0008). **NOTE: Do not send your completed form to this address.**

### PRIVACY ACT STATEMENT

**Authority:** Title 44 CFR § 61.7 and 61.8.

**Principal Purpose(s):** This information is being collected for the primary purpose of documenting compliance with National Flood Insurance Program (NFIP) floodplain management ordinances for new or substantially improved structures in designated Special Flood Hazard Areas. This form may also be used as an optional tool for a Letter of Map Amendment (LOMA), Conditional LOMA (CLOMA), Letter of Map Revision Based on Fill (LOMR-F), or Conditional LOMR-F (CLOMR-F), or for flood insurance rating purposes in any flood zone.

**Routine Use(s):** The information on this form may be disclosed as generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/ FEMA-003 – *National Flood Insurance Program Files System of Records Notice 79 Fed. Reg. 28747 (May 19, 2014)* and upon written request, written consent, by agreement, or as required by law.

**Disclosure:** The disclosure of information on this form is voluntary; however, failure to provide the information requested may impact the flood insurance premium through the NFIP. Information will only be released as permitted by law.

### PURPOSE OF THE ELEVATION CERTIFICATE

The Elevation Certificate is an important administrative tool of the NFIP. It can be used to provide elevation information necessary to ensure compliance with community floodplain management ordinances, to inform the proper insurance premium, and to support a request for a LOMA, CLOMA, LOMR-F, or CLOMR-F.

The Elevation Certificate is used to document floodplain management compliance for Post-Flood Insurance Rate Map (FIRM) buildings, which are buildings constructed after publication of the FIRM, located in flood Zones A1–A30, AE, AH, AO, A (with Base Flood Elevation (BFE)), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, and A99. It may also be used to provide elevation information for Pre-FIRM buildings or buildings in any flood zone.

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt floodplain management regulations that specify minimum requirements for reducing flood losses. One such requirement is for the community to obtain the elevation of the lowest floor (including basement) of all new and substantially improved buildings, and maintain a record of such information. The Elevation Certificate provides a way for a community to document compliance with the community's floodplain management ordinance.

Use of this certificate does not provide a waiver of the flood insurance purchase requirement. Only a LOMA or LOMR-F from the Federal Emergency Management Agency (FEMA) can amend the FIRM and remove the federal mandate for a lending institution to require the purchase of flood insurance. However, the lending institution has the option of requiring flood insurance even if a LOMA/LOMR-F has been issued by FEMA. The Elevation Certificate may be used to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request. Lowest Adjacent Grade (LAG) elevations certified by a land surveyor, engineer, or architect, as authorized by state law, will be required if the certificate is used to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request. A LOMA, CLOMA, LOMR-F, or CLOMR-F request must be submitted with either a completed FEMA MT-EZ or MT-1 application package, whichever is appropriate. If the certificate will only be completed to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request, there is an option to document the certified LAG elevation on the Elevation Form included in the MT-EZ and MT-1 application.

This certificate is used only to certify building elevations. A separate certificate is required for floodproofing. Under the NFIP, non-residential buildings can be floodproofed up to or above the BFE. A floodproofed building is a building that has been designed and constructed to be watertight (substantially impermeable to floodwaters) below the BFE. Floodproofing of residential buildings is not permitted under the NFIP unless FEMA has granted the community an exception for residential floodproofed basements. The community must adopt standards for design and construction of floodproofed basements before FEMA will grant a basement exception. For both floodproofed non-residential buildings and residential floodproofed basements in communities that have been granted an exception by FEMA, a floodproofing certificate is required.

The expiration date on the form herein does not apply to certified and completed Elevation Certificates, as a completed Elevation Certificate does not expire, unless there is a physical change to the building that invalidates information in Section A Items A8 or A9, Section C, Section E, or Section H. In addition, this form is intended for the specific building referenced in Section A and is not invalidated by the transfer of building ownership.

Additional guidance can be found in FEMA Publication 467-1, *Floodplain Management Bulletin: Elevation Certificate*.

**ELEVATION CERTIFICATE**  
**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19**

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
<p>A1. Building Owner's Name: <u>David L Irvine</u></p> <p>A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box <u>No. 331 Time Out Place</u></p> <p>City: <u>Tamassee</u> State: <u>SC</u> ZIP Code: <u>29686</u></p> <p>A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>Tax Parcel Number: 052-03-06-010</u></p> <p>A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>Residential</u></p> <p>A5. Latitude/Longitude: Lat. <u>34.91341</u> Long. <u>-83.06034</u> Horizontal Datum: <u>NAD 1927</u> <u>NAD 1983</u> <input checked="" type="checkbox"/> <u>WGS 84</u></p> <p>A6. Attach at least two and when possible four clear photographs (one for each side) of the building (see Form pages 7 and 8).</p> <p>A7. Building Diagram Number: <u>7</u></p> <p>A8. For a building with a crawlspace or enclosure(s):</p> <p>a) Square footage of crawlspace or enclosure(s): <u>1040</u> sq. ft.</p> <p>b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>2</u> Engineered flood openings: <u>0</u></p> <p>d) Total net open area of non-engineered flood openings in A8.c: <u>24898</u> sq. in. <u>172.9</u> sq. ft.</p> <p>e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): <u>0</u> sq. ft.</p> <p>f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): _____ sq. ft.</p> <p>A9. For a building with an attached garage: <u>N/A</u></p> <p>a) Square footage of attached garage: _____ sq. ft.</p> <p>b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: _____ Engineered flood openings: _____</p> <p>d) Total net open area of non-engineered flood openings in A9.c: _____ sq. in.</p> <p>e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): _____ sq. ft.</p> <p>f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): _____ sq. ft.</p>	<p>Policy Number: _____</p> <p>Company NAIC Number: _____</p>
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION	
<p>B1.a. NFIP Community Name: <u>Oconee County</u> B1.b. NFIP Community Identification Number: <u>450157</u></p> <p>B2. County Name: <u>Oconee County</u> B3. State: <u>SC</u> B4. Map/Panel No.: <u>45073C0095D</u> B5. Suffix: <u>D</u></p> <p>B6. FIRM Index Date: <u>September 11, 2009</u> B7. FIRM Panel Effective/Revised Date: <u>December 21, 2017</u></p> <p>B8. Flood Zone(s): <u>FLOOD ZONE AE</u> B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>1081.0'</u></p> <p>B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: FIS <input checked="" type="checkbox"/> <u>FIRM</u> Community Determined <input type="checkbox"/> Other: _____</p> <p>B11. Indicate elevation datum used for BFE in Item B9: <u>NGVD 1929</u> <input checked="" type="checkbox"/> <u>NAVD 1988</u> Other/Source: _____</p> <p>B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation _____ CBRS OPA</p> <p>B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

# ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 331 Time Out Place	<b>FOR INSURANCE COMPANY USE</b>
City: <u>Tamassee</u> State: <u>SC</u> ZIP Code: <u>29686</u>	Policy Number: _____
	Company NAIC Number: _____

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

- C1. Building elevations are based on: Construction Drawings\* Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.
- C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.  
Benchmark Utilized: SCVRS Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929  NAVD 1988 Other: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? Yes  No

If Yes, describe the source of the conversion factor in the Section D Comments area.

Check the measurement used:

		Yes	No
a) Top of bottom floor (including basement, crawlspace, or enclosure floor):	<u>1072.1</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
b) Top of the next higher floor (see Instructions):	<u>1082.0</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (see Instructions):	<u>1079.7</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
d) Attached garage (top of slab):	_____	<input type="checkbox"/> feet	<input type="checkbox"/> meters
e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area):	<u>1078.2</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
f) Lowest Adjacent Grade (LAG) next to building: Natural <input type="checkbox"/> Finished <input checked="" type="checkbox"/>	<u>1072.1</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
g) Highest Adjacent Grade (HAG) next to building: Natural <input type="checkbox"/> Finished <input checked="" type="checkbox"/>	<u>1080.2</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:	<u>1072.1</u>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters

## SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No

Check here if attachments and describe in the Comments area.

Certifier's Name: David L. Burrell License Number: PLS- 42676

Title: Owner/Operator/PLS

Company Name: Burrell & Company Land Surveying and Mapping, LLC

Address: 133 Cobb St

City: Easley State: SC ZIP Code: 29640

Date: 10/8/2024

Telephone: 828-577-6568 Ext.: \_\_\_\_\_ Email: burrellsurveying@gmail.com

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):

Equipment elevation in C2.e was taken at pad of HVAC Equipment

Per owner the BFE is +/- 4 feet higher than any historical flooding since his ownership of the property.(approx. 40 years)  
There appears to be several other homes/boat houses on the lake that are in the flood zone and appear to be lower than the BFE

This house is on an elevated crawlspace above the lake. Bottom floor elevations and adjacent ground elevations at the floor of the crawlspace were taken per diagrams and were underwater at the time of the survey. See photos for more information



# ELEVATION CERTIFICATE

**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19**

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 331 Time Out Place	<b>FOR INSURANCE COMPANY USE</b>
City: <u>Tamassee</u> State: <u>SC</u> ZIP Code: <u>29686</u>	Policy Number: _____
	Company NAIC Number: _____

## SECTION E – BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO, ZONE AR/AO, AND ZONE A (WITHOUT BFE)

For Zones AO, AR/AO, and A (without BFE), complete Items E1–E5. For Items E1–E4, use natural grade, if available. If the Certificate is intended to support a Letter of Map Change request, complete Sections A, B, and C. Check the measurement used. In Puerto Rico only, enter meters.

Building measurements are based on:      Construction Drawings\*      Building Under Construction\*      Finished Construction

\*A new Elevation Certificate will be required when construction of the building is complete.

E1. Provide measurements (C.2.a in applicable Building Diagram) for the following and check the appropriate boxes to show whether the measurement is above or below the natural HAG and the LAG.

a) Top of bottom floor (including basement, crawlspace, or enclosure) is: \_\_\_\_\_ feet      meters      above or      below the HAG.

b) Top of bottom floor (including basement, crawlspace, or enclosure) is: \_\_\_\_\_ feet      meters      above or      below the LAG.

E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (C2.b in applicable Building Diagram) of the building is: \_\_\_\_\_ feet      meters      above or      below the HAG.

E3. Attached garage (top of slab) is: \_\_\_\_\_ feet      meters      above or      below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is: \_\_\_\_\_ feet      meters      above or      below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?      Yes      No      Unknown      The local official must certify this information in Section G.

## SECTION F – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge*

Check here if attachments and describe in the Comments area.

Property Owner or Owner's Authorized Representative Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Date: \_\_\_\_\_

Telephone: \_\_\_\_\_ Ext.: \_\_\_\_\_ Email: \_\_\_\_\_

Comments: \_\_\_\_\_

# ELEVATION CERTIFICATE

**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19**

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:	<b>FOR INSURANCE COMPANY USE</b>
City: _____ State: _____ ZIP Code: _____	Policy Number: _____
	Company NAIC Number: _____

## SECTION G – COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Section A, B, C, E, G, or H of this Elevation Certificate. Complete the applicable item(s) and sign below when:

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by state law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.a. A local official completed Section E for a building located in Zone A (without a BFE), Zone AO, or Zone AR/AO, or when item E5 is completed for a building located in Zone AO.
- G2.b. A local official completed Section H for insurance purposes.
- G3. In the Comments area of Section G, the local official describes specific corrections to the information in Sections A, B, E and H.
- G4. The following information (Items G5–G11) is provided for community floodplain management purposes.
- G5. Permit Number: \_\_\_\_\_ G6. Date Permit Issued: \_\_\_\_\_
- G7. Date Certificate of Compliance/Occupancy Issued: \_\_\_\_\_
- G8. This permit has been issued for:     New Construction     Substantial Improvement
- G9.a. Elevation of as-built lowest floor (including basement) of the building: \_\_\_\_\_ feet    \_\_\_\_\_ meters    Datum: \_\_\_\_\_
- G9.b. Elevation of bottom of as-built lowest horizontal structural member: \_\_\_\_\_ feet    \_\_\_\_\_ meters    Datum: \_\_\_\_\_
- G10.a. BFE (or depth in Zone AO) of flooding at the building site: \_\_\_\_\_ feet    \_\_\_\_\_ meters    Datum: \_\_\_\_\_
- G10.b. Community's minimum elevation (or depth in Zone AO) requirement for the lowest floor or lowest horizontal structural member: \_\_\_\_\_ feet    \_\_\_\_\_ meters    Datum: \_\_\_\_\_
- G11. Variance issued?    Yes    No    If yes, attach documentation and describe in the Comments area.

The local official who provides information in Section G must sign here. *I have completed the information in Section G and certify that it is correct to the best of my knowledge. If applicable, I have also provided specific corrections in the Comments area of this section.*

Local Official's Name: \_\_\_\_\_ Title: \_\_\_\_\_

NFIP Community Name: \_\_\_\_\_

Telephone: \_\_\_\_\_ Ext.: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Date: \_\_\_\_\_

Comments (including type of equipment and location, per C2.e; description of any attachments; and corrections to specific information in Sections A, B, D, E, or H):

# ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:	<b>FOR INSURANCE COMPANY USE</b>
City: _____ State: _____ ZIP Code: _____	Policy Number: _____
	Company NAIC Number: _____

## SECTION H – BUILDING'S FIRST FLOOR HEIGHT INFORMATION FOR ALL ZONES (SURVEY NOT REQUIRED) (FOR INSURANCE PURPOSES ONLY)

The property owner, owner's authorized representative, or local floodplain management official may complete Section H for all flood zones to determine the building's first floor height for insurance purposes. Sections A, B, and I must also be completed. Enter heights to the nearest tenth of a foot (nearest tenth of a meter in Puerto Rico). **Reference the Foundation Type Diagrams (at the end of Section H Instructions) and the appropriate Building Diagrams (at the end of Section I Instructions) to complete this section.**

H1. Provide the height of the top of the floor (as indicated in Foundation Type Diagrams) above the Lowest Adjacent Grade (LAG):

a) For Building Diagrams 1A, 1B, 3, and 5–9. Top of bottom \_\_\_\_\_ feet \_\_\_\_\_ meters above the LAG floor (include above-grade floors only for buildings with subgrade crawlspaces or enclosure floors) is:

b) For Building Diagrams 2A, 2B, 4, and 6–9. Top of next \_\_\_\_\_ feet \_\_\_\_\_ meters above the LAG higher floor (i.e., the floor above basement, crawlspace, or enclosure floor) is:

H2. Is all Machinery and Equipment servicing the building (as listed in Item H2 instructions) elevated to or above the floor indicated by the H2 arrow (shown in the Foundation Type Diagrams at end of Section H instructions) for the appropriate Building Diagram?

Yes \_\_\_\_\_ No \_\_\_\_\_

## SECTION I – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and H must sign here. *The statements in Sections A, B, and H are correct to the best of my knowledge.* Note: If the local floodplain management official completed Section H, they should indicate in Item G2.b and sign Section G.

Check here if attachments are provided (including required photos) and describe each attachment in the Comments area.

Property Owner or Owner's Authorized Representative Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Date: \_\_\_\_\_

Telephone: \_\_\_\_\_ Ext.: \_\_\_\_\_ Email: \_\_\_\_\_

Comments:

**ELEVATION CERTIFICATE**  
**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19**  
**BUILDING PHOTOGRAPHS**

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:  
331 Time Out Place

City: Tamassee State: SC ZIP Code: 29686

**FOR INSURANCE COMPANY USE**

Policy Number: \_\_\_\_\_

Company NAIC Number: \_\_\_\_\_

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.

Photo One



Photo One Caption: Right Side View

[Clear Photo One](#)

Photo Two



Photo Two Caption: Left Side View

[Clear Photo Two](#)

**ELEVATION CERTIFICATE**  
**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19**  
**BUILDING PHOTOGRAPHS**

Continuation Page

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:  
331 Time Out Place

**FOR INSURANCE COMPANY USE**

Policy Number: \_\_\_\_\_

Company NAIC Number: \_\_\_\_\_

City: Tamassee State: SC ZIP Code: 29686

Insert the third and fourth photographs below. Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." When floor openings or vents, as indicated in Sections A8 and A9, are present, provide flood openings or vents, \_\_\_\_\_



Photo Three Caption: Rear View

[Clear Photo Three](#)

Photo Four



Photo Four Caption: Front View (Lakeside)

[Clear Photo Four](#)

DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency

**INSTRUCTIONS FOR COMPLETING THE ELEVATION CERTIFICATE**

The Elevation Certificate is to be completed by a land surveyor, engineer, or architect who is authorized by state law to certify elevation information when elevation information is required or used for Zones A1–A30, AE, AH, AO, A (with Base Flood Elevation (BFE)), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, or A99.

Community officials who are authorized by law or ordinance to provide floodplain management information (herein referred to as "local floodplain management official") may also complete this form. For Zones AO, AR/AO, and A (without BFE), a local floodplain management official, a property owner, or an owner's authorized representative may provide floodplain management compliance information on this certificate in Section E, unless the elevations are intended for use in supporting a request for a LOMA, CLOMA, LOMR-F, or CLOMR-F. Certified elevations must be included if the purpose of completing the Elevation Certificate is to obtain a LOMA, CLOMA, LOMR-F, or CLOMR-F.

The property owner, the owner's authorized representative, or local floodplain management official can complete Section A and Section B. The partially completed form can then be given to the land surveyor, engineer, or architect to complete Section C. The land surveyor, engineer, or architect should verify the information provided by the property owner or owner's representative to ensure that this certificate is complete.

For insurance purposes only, a local floodplain management official, a property owner, or an owner's authorized representative may provide First Floor Height details in Section H for any zone.

In Puerto Rico only, elevations for building information and flood hazard information may be entered in meters.

**Note:** Section C can be used for insurance and compliance in any zone; however, Section E can be used only for compliance in Zone AO and Zone A.

**SECTION A – PROPERTY INFORMATION**

**Items A1–A4.** This section identifies the building, its location, and its owner. Enter the name(s) of the building owner(s), the building's complete street address or property description (e.g., lot and block numbers or legal description), and/or tax parcel number. If the building's address is different from the owner's address, enter the address of the building being certified. If the address is a rural route or a Post Office box number, enter the lot and block numbers, the tax parcel number, the legal description, or an abbreviated location description based on distance and direction from a fixed point of reference. For the purposes of this certificate, "building" means both a building and a manufactured (mobile) home. For properties with multiple buildings, include a description for the specific building.

A map may be attached to this certificate to show the location of the building on the property. A tax map, Flood Insurance Rate Map (FIRM), or detailed community map is appropriate. If no map is available, provide a sketch of the property location, and the location of the building on the property. Include appropriate landmarks such as nearby roads, intersections, and bodies of water. For building use, indicate whether the building is residential, non-residential, an addition to an existing residential or non-residential building, an accessory building (e.g., garage), or other type of structure. Use the Comments area of the appropriate section if needed, or attach additional comments.

**Item A5.** Provide latitude and longitude coordinates for the center of the front of the building. Use either decimal degrees (e.g., 39.504322°, -110.758522°) or degrees, minutes, seconds (e.g., 39° 30' 15.56", -110° 45' 30.68") format. If decimal degrees are used, provide coordinates to at least six decimal places or better. When using degrees, minutes, seconds, provide seconds to at least two decimal places or better. Provide the datum of the latitude and longitude coordinates (FEMA prefers the use of NAD 1983). Indicate the method or source used to determine the latitude and longitude in the Comments area of the appropriate section. When the latitude and longitude are provided by a land surveyor, check the "Yes" box in Section D.

**Item A6.** The certifier must provide at least two and when possible four photographs showing each side of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and Building Diagram number provided in Item A7. To the extent possible, these photographs should show the entire building including foundation. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3"×3". Digital photographs are acceptable. Additional photographs may be requested by local floodplain management officials or for insurance purposes to show additional detail regarding the building characteristics or features.

**Item A7.** Select the Building Diagram (shown on pages 17-19) that best represents the building. Then enter the diagram number and use the diagram to identify and determine the appropriate elevations requested in Items C2.a–h. If you are unsure of the correct diagram, select the diagram that most closely resembles the building being certified.

**Item A8.a.** Provide the square footage of the crawlspace or enclosure(s) below the lowest elevated floor of an elevated building with or without permanent flood openings. Take the measurement from the outside of the crawlspace or enclosure(s). Examples of elevated buildings constructed with crawlspace and enclosure(s) are shown in Diagrams 6-9 on pages 18-19. Diagram 2A, 2B, 4, or 9 should be used for a building constructed with a crawlspace floor that is below the exterior grade on all sides. If there is no crawlspace or enclosure, enter "N/A" for Items A8.a-f.

**Item A8.b.** Indicate if there is at least one permanent flood opening within 1.0 foot of the adjacent grade on at least two exterior walls of each enclosed area identified in A8.a. A permanent flood opening is a flood vent or other opening that allows the free passage of water automatically in both directions without human intervention. If the crawlspace or enclosure(s) have no permanent flood openings, or if none of the openings are within 1.0 foot above adjacent grade, enter "0" (zero) in Item A8.c-f. If there is no crawlspace or enclosure, enter "N/A".

## SECTION A – PROPERTY INFORMATION (Continued)

**Item A8.c.** Enter the total number of permanent non-engineered and/or engineered flood openings in the crawlspace or enclosure(s) that are no higher than 1.0 foot above the higher of the exterior or interior grade or floor immediately below the opening. If the interior grade elevation is used, note this in the Comments area of Section D.

**Item A8.d.** Enter the total measured net open area of permanent non-engineered flood openings indicated in A8.c in square inches, excluding any bars, louvers, or other covers of the permanent flood openings. Non-engineered openings that meet the requirements of NFIP Technical Bulletin 1 are assumed to provide one square foot of rated area for each square inch of net open area. If the net open area cannot be measured, provide in the Comments area of the appropriate section the size of the flood openings without consideration of any covers and indicate the type of cover that exists in the flood openings.

**Item A8.e.** Enter the total rated area of the permanent engineered flood openings indicated in A8.c, in square feet. Attach a copy of the Individual Engineered Flood Openings Certification for a specific building or an Evaluation Report issued by the International Code Council Evaluation Service (ICC ES) for all engineered openings, and indicate the manufacturer's name and model number in the Comments area of the appropriate section, if applicable. Flood openings cannot be considered engineered flood openings without documentation. If no documentation is available/provided, enter the net open (unobstructed) area of the flood openings in A8.d instead.

**Item A8.f.** Complete only if permanent engineered and permanent non-engineered flood openings are both present. Enter the sum of A8.d (net open area of all non-engineered openings) and A8.e (total rated area of all engineered openings). Non-engineered openings that meet the requirements of NFIP Technical Bulletin 1 are assumed to provide one square foot of rated area for each square inch of net open area. For example, a non-engineered opening with 140 sq. in. of net open area (i.e., rated for 140 sq. ft. of enclosure area), combined with two (2) engineered openings rated for 200 sq. ft. each, would yield  $140 + 400 = 540$  sq. ft. rated area. If either A8.d or A8.e is "0", then enter "N/A" for A8.f.

**Item A9.a.** Provide the square footage of the attached garage with or without permanent flood openings. Take the measurement from the outside of the garage. If there is no attached garage, enter "N/A" for items A9.a-f.

**Item A9.b.** Indicate if there is at least one permanent flood opening within 1.0 foot of the adjacent grade on at least two exterior walls of the attached garage identified in A9.a. If the attached garage has no permanent flood openings, or if none of the openings are within 1.0 foot above adjacent grade, enter "0" (zero) in Items A9.c-f. If there is no attached garage, enter "N/A".

**Item A9.c.** Enter the total number of permanent non-engineered and/or engineered flood openings in the attached garage that are no higher than 1.0 foot above the higher of the exterior or interior grade or floor immediately below the opening. This includes any openings that are in the garage door that are no higher than 1.0 foot above the adjacent grade. If the interior grade elevation is used, note this in the Comments area of Section D.

**Item A9.d.** Enter the total measured net open area of permanent non-engineered flood openings indicated in A9.c in square inches, excluding any bars, louvers, or other covers of the permanent flood openings, and enter the total in Item A9.d. Non-engineered openings that meet the requirements of NFIP Technical Bulletin 1 are assumed to provide one square foot of rated area for each square inch of net open area. If the net open area cannot be measured, provide in the Comments area of the appropriate section the size of the flood openings without consideration of any covers and indicate the type of cover that exists in the flood openings.

**Item A9.e.** Enter the total rated area of the permanent engineered flood openings indicated in A9.c in square feet. Attach a copy of the Individual Engineered Flood Openings Certification for a specific building or an Evaluation Report issued by the ICC ES for all engineered openings, and indicate the manufacturer's name and model number in the Comments area of the appropriate section, if applicable. Flood openings cannot be considered engineered flood openings without documentation. If no documentation is available/provided, enter the net open (unobstructed) area of the flood openings in A9.d instead.

**Item A9.f.** Complete only if permanent engineered and permanent non-engineered flood openings are both present. Enter the sum of A9.d (net open area of all non-engineered openings) and A9.e (total rated area of all engineered openings). Non-engineered openings that meet the requirements of NFIP Technical Bulletin 1 are assumed to provide one square foot of rated area for each square inch of net open area. For example, a non-engineered opening with 140 sq. in. of net open area (i.e., rated for 140 sq. ft. of enclosure area), combined with two (2) engineered openings rated for 200 sq. ft. each, would yield  $140 + 400 = 540$  sq. ft. rated area. If either A9.d or A9.e is "0", then enter "N/A" for A9.f.

## SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Complete the Elevation Certificate using the Flood Insurance Study (FIS) and FIRM in effect at the time of the certification.

The information for Section B is obtained by reviewing the FIS and the FIRM panel that includes the building's location. Information about the current FIS and FIRM is available from FEMA by visiting \_\_\_\_\_ or contacting the local floodplain management official. If a Letter of Map Amendment (LOMA), Letter of Map Revision Based on Fill (LOMR-F), or Letter of Map Revision (LOMR) has been issued by FEMA, please provide the letter date and case number in the Comments area of Section D or Section G, as appropriate.

For a building in an area that was mapped in one community but is now in another community due to annexation or dissolution, enter the community name and six-digit Community Identification Number of the community in which the building is now located in Items B1.a and B1.b; the name of the county or new county, if necessary, in Item B2; and the FIRM index date for the community identified in B1.a, in Item B6. Enter information from the actual FIRM panel that shows the building location, even if it is the FIRM for the previous jurisdiction, in Items B4, B5, B7, B8, and B9.

If the map in effect at the time of the building's construction was other than the current FIRM, and you have the past map information pertaining to the building, provide the information in the Comments area of Section D.

**Note:** Indicate in the Comments area of Section D if using information based on best available data, such as base-level engineering or advisory flood hazard data (contact the local floodplain management official to confirm).

## SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION (Continued)

**Items B1.a–b** NFIP Community Name and Community Identification Number. Enter the complete name of the community in which the building is located in B1.a, and the associated six-digit Community Identification Number in B1.b. For an unincorporated area of a county, enter the county name and "unincorporated area", and the six-digit number of the county. For a newly incorporated community, use the name and six-digit number of the new community. Under the NFIP, a "community" is any state or area or political subdivision thereof, or any Indian tribe or authorized native organization which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction. To determine the current community number, see the NFIP *Community Status Book*, available on FEMA's website at

**Item B2.** County Name. Enter the name of the county or counties in which the community is located. For an unincorporated area of a county, enter the county name. For an independent city, enter "independent city."

**Item B3.** State. Enter the two-letter state abbreviation (for example, VA, TX, CA).

**Items B4–B5.** Map/Panel Number and Suffix. Enter the 10-character "Map Number" or "Community Panel Number" shown on the FIRM where the building or manufactured (mobile) home is located. For maps in a county-wide format, the sixth character of the "Map Number" is the letter "C" followed by a four-digit map number. For maps not in a county-wide format, enter the "Community Panel Number" shown on the FIRM.

**Item B6.** FIRM Index Date. Enter the effective date or the map revised date shown on the FIRM Index.

**Item B7.** FIRM Panel Effective/Revised Date. Enter the effective date shown on the current FIRM panel. The current FIRM panel effective date can be determined by visiting or contacting the local floodplain management official. If the area where the building is located was revised by a LOMR, include the LOMR effective date and the LOMR case number in the comments area of Section D.

**Item B8.** Flood Zone(s). Enter the flood zone, or flood zones, in which the building is located. All flood zones containing the letter "A" or "V" are considered Special Flood Hazard Areas (SFHAs). Each flood zone is defined in the legend of the FIRM panel on which it appears. If the area where the building is located was revised by a LOMA, CLOMA, LOMR-F, or CLOMR-F, include the flood zone shown on the LOMA, CLOMA, LOMR-F, or CLOMR-F, and add the effective date and case number in the comments area of Section D.

**Item B9.** Base Flood Elevation(s) (BFE). Using the appropriate Flood Insurance Study (FIS) Profile, FIS Data Table (e.g. Transect, Floodway, etc.), or FIRM panel, locate the property and enter the BFE (or base flood depth) of the building site to the nearest tenth of a foot (nearest tenth of a meter, in Puerto Rico). If the building is located in more than one flood zone in Item B8, list all appropriate BFEs in Item B9.

BFEs are shown in the FIS or on a FIRM for Zones A1–A30, AE, AH, V1–V30, VE, AR, AR/A, AR/AE, AR/A1–A30, and AR/AH; base flood depths are shown for Zones AO and AR/AO. Use the AR BFE (or base flood depth) if the building is located in any of these zones: AR/A, AR/AE, AR/A1–A30, AR/AH, or AR/AO.

In A or V zones where BFEs are not provided in the FIS or on the FIRM, BFEs may be available from another source. For example, the community may have established BFEs or obtained BFE data from other sources (e.g., Base Level Engineering) for the building site. For subdivisions and other developments of more than 50 lots or 5 acres in Zone A, establishment of BFEs is required by the community's floodplain management ordinance. If a BFE is obtained from another source, enter the BFE in Item B9. The BFE entered in Item B9 must be based on hydrologic and hydraulic analyses. In an A Zone where BFEs are not obtained from another source, enter N/A in Item B9 and complete Section E.

**Item B10.** Indicate the source of the BFE or base flood depth that you entered in Item B9. If the BFE is from a source other than the FIS, FIRM, or community, include the name of the study, the agency or company that produced it, and the date when the study was completed. Visit [msc.fema.gov](http://msc.fema.gov) or contact the local floodplain management official to access the current FIS and FIRM.

**Item B11.** Indicate the elevation datum to which the elevations on the applicable FIRM are referenced as shown on the map legend. The vertical datum is shown in the Map Legend and/or the Notes to Users on the FIRM.

**Item B12.** Indicate whether the building is located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA). OPAs are portions of coastal barriers that are owned by Federal, State, or local governments or by certain non-profit organizations and used primarily for natural resources protection. CBRS areas and OPAs are no longer shown on the FIRM; please use the maps available at to complete Item B12. Federal flood insurance is prohibited in designated CBRS areas or OPAs for buildings or manufactured (mobile) homes built or substantially improved after the date of the CBRS or OPA designation. For the first CBRS designations, that date is October 1, 1983. Information about CBRS areas and OPAs may be obtained on the FEMA website at

**Item B13.** Indicate whether the building is located seaward of the Limit of Moderate Wave Action (LiMWA). If the LiMWA is not shown on the FIRM, check the "No" box. Information about the LiMWA and other coastal flood zones may be obtained on the FEMA website at

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

Complete Section C if the building is located in any of Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, or A99. If the Certificate is being completed to demonstrate compliance with local floodplain management requirements, contact the local floodplain management official to find out any additional requirements. Section C may also be completed for insurance purposes to determine the building's First Floor Height in any flood zone (including Zones AO, AR/AO, B, C, X and D). In addition, complete Section C if this certificate is being used to support a request for a LOMA, CLOMA, LOMR-F, or CLOMR-F.

To ensure that all required elevations are obtained, it may be necessary to physically enter the building (for instance, if the building has a basement or sunken living room, split-level construction, or Machinery and Equipment (M&E)).

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED) (Continued)

Land surveyors may not be able to gain access to some crawlspaces to shoot the elevation of the crawlspace floor. If access to the crawlspace is limited or cannot be gained, follow one of these procedures.

- Use a yardstick or tape measure to measure the height from the floor of the crawlspace to the "next higher floor," and then subtract the crawlspace height from the elevation of the "next higher floor." If there is no access to the crawlspace, use the exterior grade next to the structure to measure the height of the crawlspace to the "next higher floor."
- Contact the local floodplain management official of the community in which the building is located. The community may have documentation of the elevation of the crawlspace floor as part of the permit issued for the building.
- If the property owner has documentation or knows the height of the crawlspace floor to the next higher floor, try to verify this by looking inside the crawlspace through any openings or vents.

In all three cases, use the Comments area of Section D to provide the elevation and a brief description of how the elevation was obtained.

**Note:** If any item does not apply to the building, enter "N/A" for not applicable.

**Item C1.** Indicate whether the elevations to be entered in this section are based on construction drawings, a building under construction, or finished construction. For either of the first two choices, a post-construction Elevation Certificate will be required when construction is complete. If the building is under construction, include only those elevations that can be surveyed in Items C2.a–h. Use the Comments area of Section D to provide elevations obtained from the construction plans or drawings. Select "Finished Construction" only when all M&E such as furnaces, water heaters, heat pumps, air conditioners, and elevators and their associated equipment have been installed and the grading around the building is completed.

**Item C2.** A field survey is required for Items C2.a–h. Most control networks will assign a unique identifier for each benchmark. For example, the National Geodetic Survey uses the Permanent Identifier (PID). For the benchmark utilized, provide the PID or other unique identifier assigned by the maintainer of the benchmark. For GPS survey, indicate the benchmark used for the base station, the Continuously Operating Reference Stations (CORS) sites used for an Online Positioning User Service (OPUS) solution (also attach the OPUS report), or the name of the Real Time Network used.

Also provide the vertical datum for the benchmark elevation. All elevations for the certificate, including the elevations for Items C2.a–h, must use the same datum on which the BFE is based. Show the conversion from the field survey datum used if it differs from the datum used for the BFE entered in Item B9 and indicate the conversion software used. Show the datum conversion, if applicable, in the Comments area of Section D.

For property experiencing ground subsidence, the most recent reference mark elevations must be used for determining building elevations. However, when subsidence is involved, the BFE should not be adjusted.

**Note:** Enter elevations in Items C2.a–h to the nearest tenth of a foot (nearest tenth of a meter, in Puerto Rico); if data is surveyed to the nearest hundredth, round to the nearest tenth.

**Item C2.a.** Enter the elevation measured at the top of the bottom floor (excluding the attached garage) indicated by the selected Building Diagram (Item A7). For buildings elevated on a crawlspace, Building Diagrams 8 and 9, enter the lowest elevation of the top of the crawlspace floor in Item C2.a, whether or not the crawlspace has permanent flood openings (flood vents).

**Item C2.b.** For Building Diagrams 2A through 9 in any flood zone, including Zones B, C, X, and D, enter the elevation measured at the top of the next higher floor (excluding the attached garage) indicated by the selected Building Diagram (Item A7). For buildings requiring more than two floors or levels to be surveyed, such as those with multiple floors or multi-level enclosures, enter the additional surveyed elevations and floor descriptions in the Section D Comments, and clarify which floors are entered as Item C2.a and C2.b.

**Item C2.c.** For floodplain management compliance, this elevation is required for all Building Diagrams 5 and 6 in V Zones in areas seaward of the LiMWA, and in other areas regulated for coastal flooding hazards. Enter the elevation measured at the bottom of the lowest horizontal structural member of the floor indicated by the selected Building Diagram (Item A7) or the figure below. This elevation can be entered for Building Diagrams 5 and 6 in any flood zone, including Zones B, C, X, and D. For Building Diagrams other than 5 and 6 (if applicable), enter the C2.c elevation as indicated in the figure below. *If this item does not apply to the building, enter "N/A" for not applicable.*

**Item C2.d.** If there is an attached garage, enter the lowest elevation for top of attached garage slab. (Because elevation for top of attached garage slab is self-explanatory, attached garages are not illustrated in the Building Diagrams.)

**Item C2.e.** Enter the lowest platform, floor, or ground elevation supporting the lowest electrical, heating, ventilation, plumbing, and air conditioning M&E and other utilities servicing the building, which may be located in an attached garage or enclosure or on an open utility platform. Note that elevations for the M&E items are required regardless of their location. Local floodplain management officials are required to ensure that *all* new M&E servicing the building are protected from flooding. Thus, local officials may require that elevation information for all M&E, including ductwork, be documented on the Elevation Certificate. If the M&E is mounted to a wall, pile, etc., enter the platform elevation of the M&E. Indicate the lowest M&E type and its general location (e.g., on floor inside garage, on platform affixed to exterior wall) in the Comments area of Section D or Section G, as appropriate.

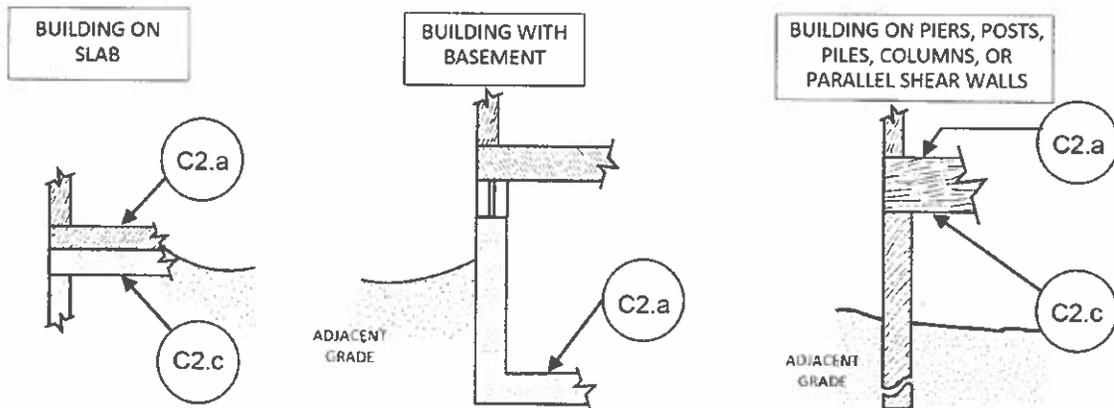
**Note:** For more guidance on floodplain management compliance for utilities, including M&E, refer to FEMA P-348, *Protecting Building Utility Systems from Flood Damage*. The list of M&E and the elevation requirements for documenting floodplain management compliance are different than the NFIP insurance M&E discount eligibility considerations. See Section H Instructions for additional information.

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED) (Continued)

**Item C2.f.** Enter the finished Lowest Adjacent Grade (LAG) elevation of the ground, sidewalk, or patio slab next to and in direct contact with the building. For a building in Zone AO, use the natural grade elevation, if available. Indicate whether the natural or finished grade was used. If natural grade was used, attach the source of the information (e.g., a grading plan). For buildings under construction in any flood zone, enter the LAG elevation at the time of the survey. **Note:** Natural grade means the undisturbed natural surface of the ground prior to any excavation or fill.

**Item C2.g.** Enter the finished Highest Adjacent Grade (HAG) elevation of the ground, sidewalk, or patio slab next to and in direct contact with the building. For a building in Zone AO, use the natural grade elevation if available. Indicate whether the natural or finished grade was used. If natural grade was used, attach the source of the information (e.g., a grading plan). For buildings under construction in any flood zone, enter the HAG elevation at the time of the survey.

**Item C2.h.** Enter the finished LAG elevation of the lowest ground, sidewalk, or patio slab next to and in direct contact with the structurally-attached-deck supports or stairs structurally attached to the building. For buildings under construction in any flood zone, enter the lowest LAG at the time of the survey.



Figures for use in determining Item C2.c

## SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This section of the Elevation Certificate may be signed by only a land surveyor, engineer, or architect who is authorized by state law to certify elevation information. Complete as indicated and place your license number, your seal (as allowed by the state licensing board), your signature, and the date in Section D. You are certifying that the information on this certificate represents your best efforts to interpret the data available and that you understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001. Use the Comments area of Section D to provide relevant and clarifying information not specified elsewhere on the certificate, including supporting information for latitude/longitude source for A5; openings for A8/A9; LOMR data for Section B; BFE and BFE source data for B9/B10; datum conversion for C2; grading plan for natural grade used in C2.f-g; machinery type and location for C2.e; and any other relevant information identified in the instructions or needed for clarification. If attachments are included, check the attachments box and describe the attachments in the Comments area.

## SECTION E – BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO, ZONE AR/AO, AND ZONE A (WITHOUT BFE)

Complete Section E if the building is located in Zone AO, Zone AR/AO, or Zone A (without BFE) and the Certificate is being completed for the purpose of documenting compliance with local floodplain management requirements. If the Certificate is being completed to document compliance in other flood zones, including Zone A (with BFE), to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request, or to provide a ground elevation for flood insurance rating, complete Section C instead of Section E. Explain in the Section F Comments area if the measurement provided under Items E1–E4 is not based on the "natural grade." Natural grade means the undisturbed natural surface of the ground prior to any excavation or fill.

Indicate whether the measurements to be entered in this section are based on construction drawings, a building under construction, or finished construction. For either of the first two choices, a post-construction Elevation Certificate will be required when construction is complete. If the building is under construction, include only those measurements that can be determined in Items E1–E4. Use the Comments area of Section F to provide measurements obtained from the construction plans or drawings. Select "Finished Construction" only when all Machinery and Equipment (M&E) such as furnaces, water heaters, heat pumps, air conditioners, and elevators and their associated equipment have been installed and the grading around the building is completed.

**Note:** Enter heights in Items E1–E4 to the nearest tenth of a foot (nearest tenth of a meter, in Puerto Rico).

**Items E1.a and b.** Enter in Item E1.a the height of the top of the bottom floor (as indicated by C2.a in the selected Building Diagram, Item A7) above or below the natural HAG. Enter in Item E1.b the height of the top of the bottom floor (as indicated by C2.a in the selected Building Diagram, Item A7) above or below the natural LAG. For buildings in Zone AO, the community's floodplain management ordinance requires the lowest floor of the building be elevated above the HAG at least as high as the base flood depth on the FIRM.

**SECTION E – BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED)  
FOR ZONE AO AND ZONE A (WITHOUT BFE) (Continued)**

**Item E2.** For Building Diagrams 6–9 with permanent flood openings (see pages 18–19), enter the height of the next higher floor or elevated floor (as indicated by C2.b in the selected Building Diagram, Item A7) above or below the HAG.

**Item E3.** Enter the height, in relation to the HAG next to the building, for the top of attached garage slab. (Because elevation for top of attached garage slab is self-explanatory, attached garages are not illustrated in the diagrams.) *If this item does not apply to the building, enter "N/A" for not applicable.*

**Item E4.** Enter the height, in relation to the HAG next to the building, of the platform elevation that supports the M&E servicing the building. See Item C2.e for additional details on M&E. Indicate the M&E type in the Comments area of Section F.

**Item E5.** For those communities where this base flood depth is not available, the community will need to determine whether the top of the bottom floor is elevated in accordance with the community's floodplain management ordinance.

**SECTION F – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION**

Complete as indicated. This section is provided for certification of measurements when completing Sections A, B, and E. If Section E is completed by a property owner or property owner's authorized representative in Zone AO, AR/AO, or A (without BFE), then the community should confirm the heights in Section E to ensure compliance with community floodplain management ordinances. If Section E is completed by a local floodplain management official, then complete Item G2.a and Section G instead of Section F. The address entered in this section must be the actual mailing address of the individual who provided the information on the certificate. Check the box as indicated if including attachments and describe in the Comments area.

**SECTION G – COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION)**

The community official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C, E, G or H of this Elevation Certificate and sign this section. Section C may be completed by the local official per the instructions below for Item G1.

**Item G1.** Check if Section C is completed with elevation data from other documentation that has been signed and sealed by a licensed land surveyor, engineer, or architect who is authorized by state law to certify elevation information. Indicate the source of the elevation data and the date obtained in the Comments area of Section G. If you are both a community official and a licensed land surveyor, engineer, or architect authorized by state law to certify elevation information, and you performed the actual survey for a building in any flood zones (including Zones A99, B, C, X and D), you must also complete Section D.

**Item G2.a.** Check if information is entered in Section E by the community for a building in Zone A (without a BFE), Zone AO, or Zone AR/AO, or when the community certifies Item E5 for a building in Zone AO.

**Item G2.b.** Check if information is entered in Section H by the community for insurance purposes.

**Item G3.** Check if the community official is correcting information provided in Sections A, B, E and H. Describe corrections in the Comments area of Section G.

**Item G4.** Check if the information in Items G5–G11 has been completed for community floodplain management purposes to document the as-built lowest floor elevation of the building. Section C of the Elevation Certificate records the elevation of various building components but does not determine the lowest floor of the building or whether the building, as constructed, complies with the community's floodplain management ordinance. This must be done by the community. Items G5–G11 provide a way to document these determinations.

**Item G5.** Permit Number. Enter the permit number or other identifier to key the Elevation Certificate to the permit issued for the building.

**Item G6.** Date Permit Issued. Enter the date the permit was issued for the building.

**Item G7.** Date Certificate of Compliance/Occupancy Issued. Enter the date that the Certificate of Compliance or Occupancy or similar written official documentation of as-built lowest floor elevation was issued by the community as evidence that all work authorized by the floodplain development permit has been completed in accordance with the community's floodplain management laws or ordinances.

**Item G8.** New Construction or Substantial Improvement. Check the applicable box. "Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a building, the cost of which equals or exceeds 50 percent of the market value of the building before the start of construction of the improvement (or meets the community's more restrictive standards, if applicable). The term includes buildings that have incurred substantial damage, regardless of the actual repair work performed.

**Item G9.a.** As-built lowest floor elevation. Enter the elevation of the lowest floor (including basement) when the construction of the building is completed and a final inspection has been made to confirm that the building is built in accordance with the permit, the approved plans, and the community's floodplain management laws or ordinances. Indicate the elevation datum used.

**Item G9.b.** As-built lowest horizontal structural member. Enter the elevation measured at the bottom of the lowest horizontal structural member of the floor indicated by the selected Building Diagram (Item A7) or in the figure at the end of the instructions for Section C. Indicate the elevation datum used.

**SECTION G – COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION) (Continued)**

**Item G10.a. BFE.** Using the appropriate FIRM panel, FIS, or other data source, locate the property and enter the BFE (or base flood depth) of the building site. Indicate the elevation datum used.

**Item G10.b.** Community's minimum elevation or depth requirement. Enter the elevation (including freeboard above the BFE) to which the community requires the lowest floor or the lowest horizontal structural member to be elevated. Indicate the elevation datum used.

**Item G11.** Indicate Yes if a variance from the floodplain management regulations (Title 44 CFR § 60.6) has been issued for the building, attach the supporting documentation, and describe the attachment in the Comments area of this section. If no such variance has been issued, indicate No.

Enter your name, title, and telephone number, and the name of the community and add any comments. Sign and enter the date in the appropriate blanks.

**SECTION H – BUILDING'S FIRST FLOOR HEIGHT INFORMATION FOR ALL ZONES  
(SURVEY NOT REQUIRED) (FOR INSURANCE PURPOSES ONLY)**

In any flood zone the property owner, owner's authorized representative, or local floodplain management official may complete this certificate for rating purposes to determine the building's first floor height and identify the elevation of Machinery and Equipment (M&E) servicing the building. Sections A, B, and I must also be completed.

**Note:** If Sections C and/or E and H are all completed, then information in Section C will prevail for insurance purposes and for compliance.

**Item H1.a.** For Building Diagrams 1A, 1B, 3, and 5–9 shown on pages 17–19, enter in Item H1.a the height to the nearest tenth of a foot (tenth of a meter in Puerto Rico) of the top of the bottom floor (as indicated in the selected Building Diagram, Item A7) above the LAG. Refer to the arrows on the Foundation Type Diagrams on page 16 that indicate which floor to use to determine the height for Item H1.a.

**Item H1.b.** For Building Diagrams 2A, 2B, 4, and 6–9 shown on pages 17–19, enter in Item H1.b the height to the nearest tenth of a foot (tenth of a meter in Puerto Rico) of the top of the next higher floor or elevated floor (as indicated in the selected Building Diagram, Item A7) above the LAG. Refer to the arrows on the Foundation Type Diagrams on page 16 that indicate which floor to use to determine the height for Item H1.b.

**Note:** The LAG is the lowest point of the ground level immediately next to a building.

**Item H2.** Indicate "Yes" if *all* of the following M&E servicing the building, inside or outside the building, are elevated to at least the height of the location shown by the H2 arrow in the Foundation Type Diagrams on page 16: central air conditioner (including exterior compressor), furnace, heat pump (including exterior compressor), water heater, and elevator M&E. For contents-only insurance coverage, *all* of the following appliances will need to be elevated to at least the height of the location shown by the H2 arrow in the Foundation Type Diagrams below: clothes washers and dryers and food freezers.

**Note:** For both building and contents coverage, *all* of the M&E and appliances listed above must be elevated per the Foundation Type Diagrams on page 16 to be considered for the M&E mitigation discount.

Indicate "No" if any of the M&E listed above is not elevated to at least the height of the location shown by the H2 arrow in the Foundation Type Diagrams on page 16.

The diagrams on the following page illustrate the six NFIP Foundation Type Diagrams. Each foundation type corresponds with one or more of the eleven Building Diagrams shown at the end of this Elevation Certificate. The arrows on the diagrams indicate which floor to use to determine H1.a and H1.b. The arrows marked as H2 show the minimum elevation required to be eligible for the M&E mitigation discount.

**SECTION I – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION**

Complete as indicated. This section is provided for certification of measurements when completing Sections A, B, and H. If Section H is completed by a local floodplain management official, then complete Item G2.b and Section G instead of Section I. The address entered in this section must be the actual mailing address of the individual who provided the information on the certificate.

Check the box as indicated if including attachments (e.g., required photos) and describe in the Comments area.

**Foundation Type Diagrams (for use in Section H):**

**Slab on Grade (Non-Elevated)**



Corresponds to EC Diagrams 1A, 1B and 3

**Note:** If the building has more than one floor, the Machinery and Equipment should be on the second floor or higher.

**Elevated without Enclosure on Posts, Piles, or Piers**



Corresponds to EC Diagram 5

**Basement (Non-Elevated)**



Corresponds to EC Diagrams 2A, 2B and 4

**Elevated with Enclosure on Posts, Piles, or Piers**



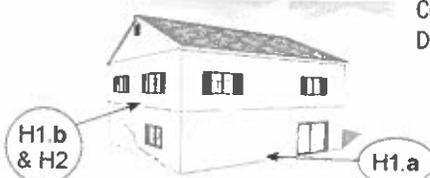
Corresponds to EC Diagram 6

**Crawlspace (Elevated, including Non-Elevated Sub-Grade Crawlspace)**



Corresponds to EC Diagrams 8 and 9

**Elevated with Enclosure Not on Posts, Piles, or Piers (Solid Foundation Walls)**

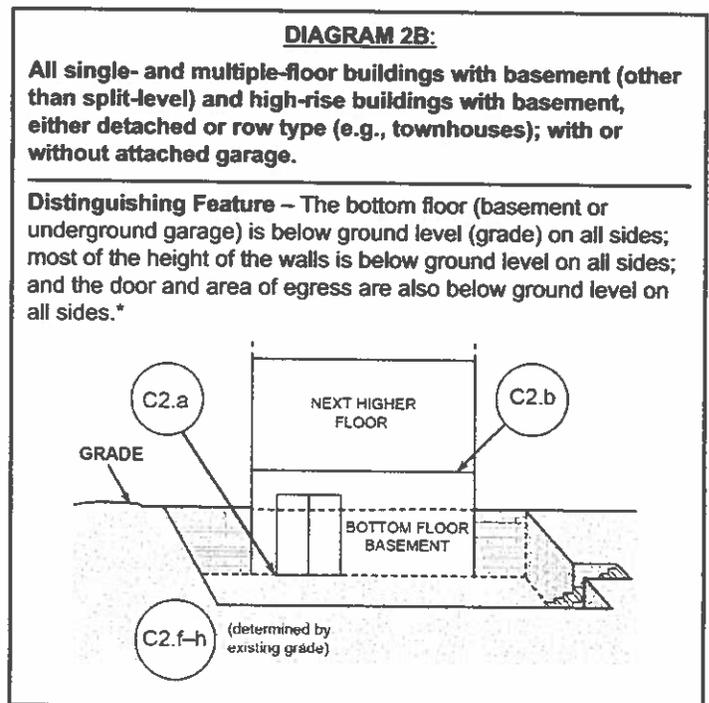
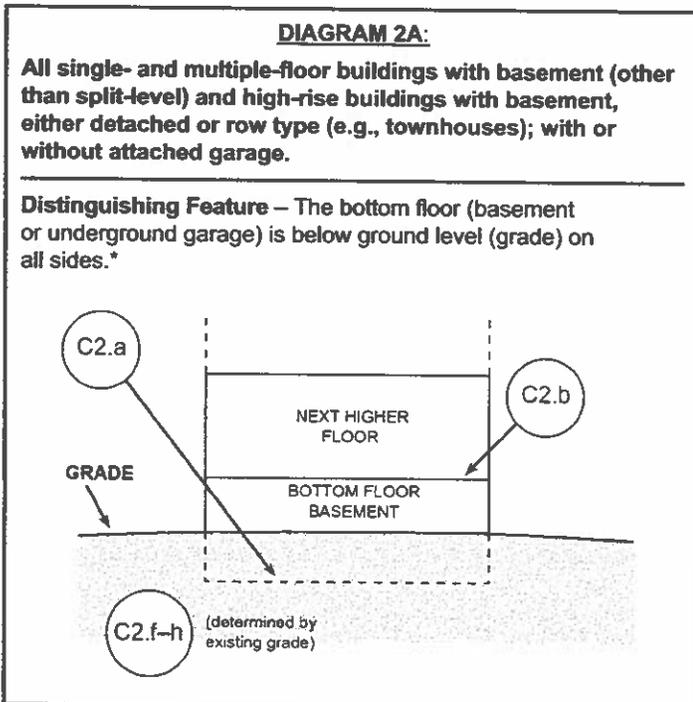
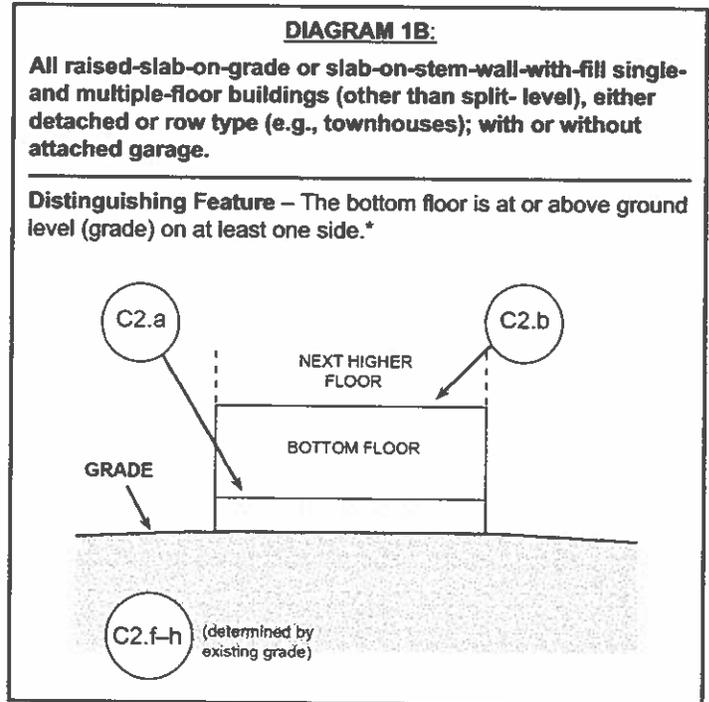
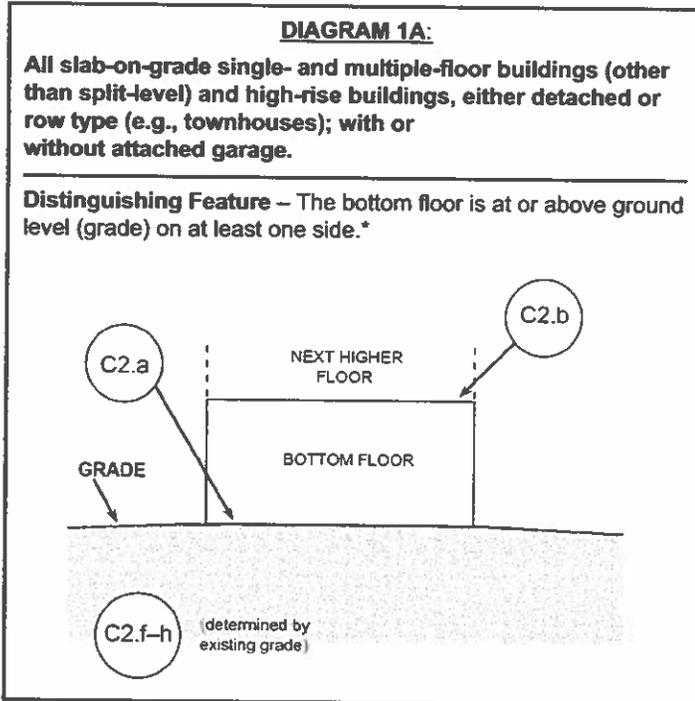


Corresponds to EC Diagram 7

## BUILDING DIAGRAMS

The following diagrams illustrate various types of buildings. Compare the features of the building being certified with the features shown in the diagrams and select the diagram most applicable. Enter the diagram number in Item A7, the square footage of crawlspace or enclosure(s) and the area of flood openings as indicated in Items A8.a–f, the square footage of attached garage and the area of flood openings as indicated in Items A9.a–f, and the elevations in Items C2.a–h.

In A, B, C, X and D zones, the floor elevation is taken at the top finished surface of the floor indicated; in V zones, areas seaward of the LIMWA, and in other areas regulated for coastal flooding hazards, the floor elevation is taken at the bottom of the lowest horizontal structural member (see figure at end of instructions for Section C).



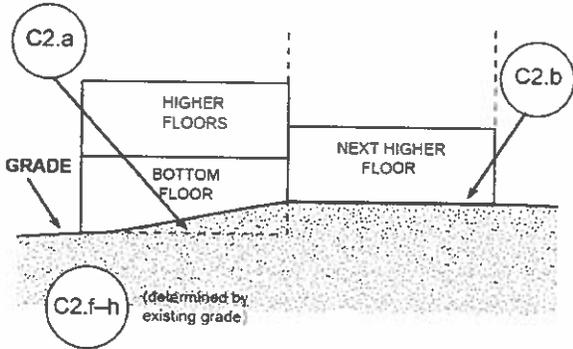
\* A floor that is below ground level (grade) on all sides is considered a basement even if the floor is used for living purposes, or as an office, garage, workshop, etc.

# BUILDING DIAGRAMS

**DIAGRAM 3:**

**All split-level buildings that are slab-on-grade, either detached or row type (e.g., townhouses); with or without attached garage.**

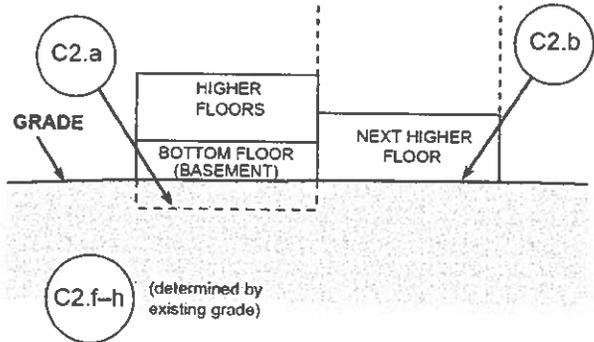
**Distinguishing Feature –** The bottom floor (excluding garage) is at or above ground level (grade) on at least one side.\*



**DIAGRAM 4:**

**All split-level buildings (other than slab-on-grade), either detached or row type (e.g., townhouses); with or without attached garage.**

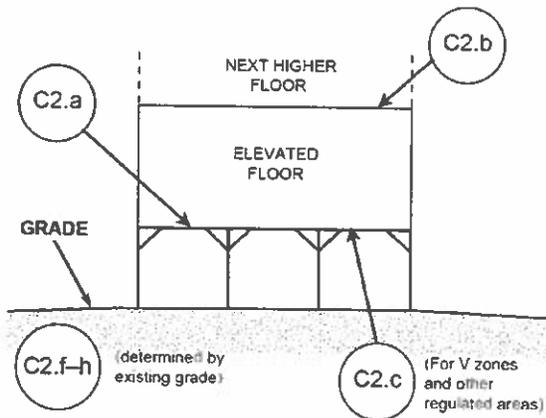
**Distinguishing Feature –** The bottom floor (basement or underground garage) is below ground level (grade) on all sides.\*



**DIAGRAM 5:**

**All buildings elevated on piers, posts, piles, columns, or parallel shear walls. No obstructions below the elevated floor.**

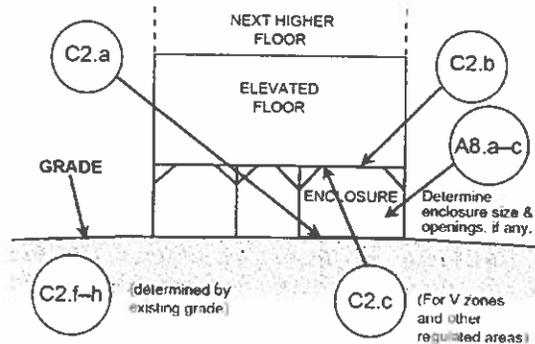
**Distinguishing Feature –** For all zones, the area below the elevated floor is open, with no obstruction to flow of floodwaters (open lattice work and/or insect screening is permissible).



**DIAGRAM 6:**

**All buildings elevated on piers, posts, piles, columns, or parallel shear walls with full or partial enclosure below the elevated floor.**

**Distinguishing Feature –** For all zones, the area below the elevated floor is enclosed, either partially or fully. In A Zones, the partially or fully enclosed area below the elevated floor is with or without openings\*\* present in the walls of the enclosure. Indicate information about enclosure size and openings in Section A - Property Information.



\* A floor that is below ground level (grade) on all sides is considered a basement even if the floor is used for living purposes, or as an office, garage, workshop, etc.

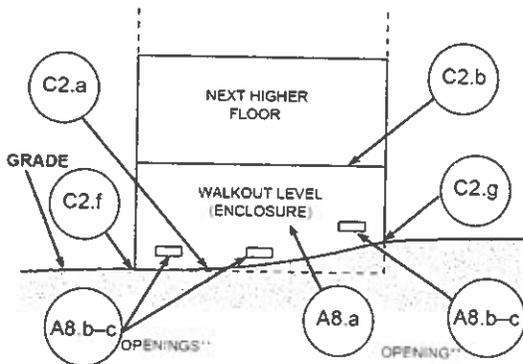
\*\* An "opening" is a permanent opening that allows for the free passage of water automatically in both directions without human intervention. Under the NFIP, a minimum of two openings is required for enclosures or crawlspaces. The openings shall provide a total net area of not less than one square inch for every square foot of area enclosed, excluding any bars, louvers, or other covers of the opening. Alternatively, an Individual Engineered Flood Openings Certification or an Evaluation Report issued by the ICC ES must be submitted to document that the design of the openings will allow for the automatic equalization of hydrostatic flood forces on exterior walls. A window, a door, or a garage door is not considered an opening; openings may be installed in doors. Openings shall be on at least two sides of the enclosed area. If a building has more than one enclosed area, each area must have openings to allow floodwater to directly enter. The bottom of the openings must be no higher than 1.0 foot above the higher of the exterior or interior grade or floor immediately below the opening. For more guidance on openings, see NFIP Technical Bulletin 1.

## BUILDING DIAGRAMS

**DIAGRAM 7:**

All buildings elevated on full-story foundation walls with a partially or fully enclosed area below the elevated floor. This includes walkout levels, where at least one side is at or above grade. The principal use of this building is located in the elevated floors of the building.

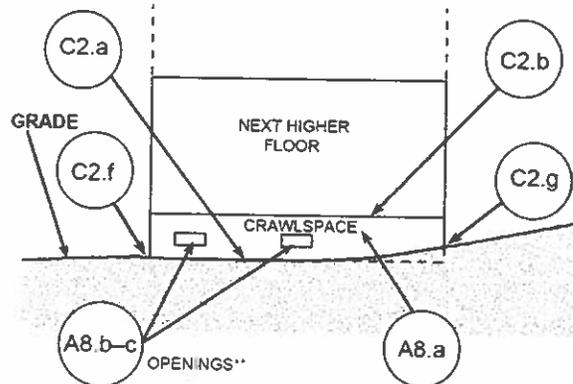
**Distinguishing Feature** – For all zones, the area below the elevated floor is enclosed, either partially or fully. In A Zones, the partially or fully enclosed area below the elevated floor is with or without openings\*\* present in the walls of the enclosure. Indicate information about enclosure size and openings in Section A - Property Information.



**DIAGRAM 8:**

All buildings elevated on a crawlspace with the floor of the crawlspace at or above grade on at least one side, with or without an attached garage.

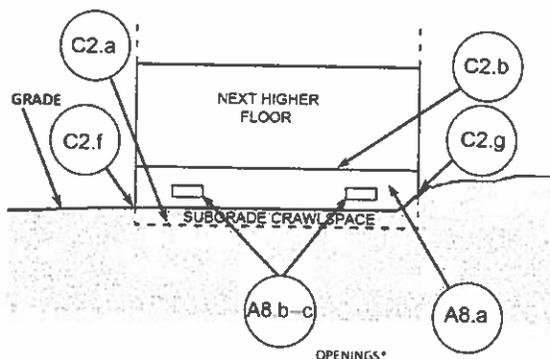
**Distinguishing Feature** – For all zones, the area below the first floor is enclosed by solid or partial perimeter walls. In all A zones, the crawlspace is with or without openings\*\* present in the walls of the crawlspace. Indicate information about crawlspace size and openings in Section A - Property Information. (If the distance from the crawlspace floor to the top of the next higher floor is more than 5 feet, use Diagram 7.)



**DIAGRAM 9:**

All buildings (other than split-level) elevated on a sub-grade crawlspace, with or without attached garage.

**Distinguishing Feature** – The bottom (crawlspace) floor is below ground level (grade) on all sides.\* (If the distance from the crawlspace floor to the top of the next higher floor is more than five feet, or the crawlspace floor is more than two feet below the grade [LAG] on all sides, use Diagram 2A or 2B.)



\* A floor that is below ground level (grade) on all sides is considered a basement even if the floor is used for living purposes, or as an office, garage, workshop, etc.

\*\* An "opening" is a permanent opening that allows for the free passage of water automatically in both directions without human intervention. Under the NFIP, a minimum of two openings is required for enclosures or crawlspaces. The openings shall provide a total net area of not less than one square inch for every square foot of area enclosed, excluding any bars, louvers, or other covers of the opening. Alternatively, an Individual Engineered Flood Openings Certification or an Evaluation Report issued by the ICC ES must be submitted to document that the design of the openings will allow for the automatic equalization of hydrostatic flood forces on exterior walls. A window, a door, or a garage door is not considered an opening; openings may be installed in doors. Openings shall be on at least two sides of the enclosed area. If a building has more than one enclosed area, each area must have openings to allow floodwater to directly enter. The bottom of the openings must be no higher than 1.0 foot above the higher of the exterior or interior grade or floor immediately below the opening. For more guidance on openings, see NFIP Technical Bulletin 1.

## *DIVISION 4. VARIANCE PROCEDURES*

### **Sec. 16-161. Appeal board.**

The board of zoning appeals of Oconee County, as established by Oconee County in ch. 38, art. 6 of this Code of Ordinances, shall hear and decide requests for variances from the requirements of this article. The application for a variance shall be filed on a form obtained from the floodplains manager.

(Ord. No. 2016-25, § 1(Exh. A), 9-19-2019)

### **Sec. 16-162. Limitation on authority.**

An application for variance shall be based on a claim that the true intent of this article, or the rules legally adopted thereunder, have been incorrectly interpreted; the provisions of this article do not fully apply; or an equally good or better form of construction is proposed.

(Ord. No. 2016-25, § 1(Exh. A), 9-19-2019)

### **Sec. 16-163. Right to appeal.**

Any person aggrieved by the decision of the appeal board or any taxpayer may appeal such decision to the circuit court within 30 days.

(Ord. No. 2016-25, § 1(Exh. A), 9-19-2019)

### **Sec. 16-164. Historic structures.**

Variances may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(Ord. No. 2016-25, § 1(Exh. A), 9-19-2019)

### **Sec. 16-165. Agricultural structures.**

Variances may be issued to wet floodproof an agricultural structure in accordance with Technical Bulletin 7-93, Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas in Accordance with the National Flood Insurance Program, document number FIA-TB-7, dated 12/93, and available from DHS-FEMA. In order to minimize flood damages during the base flood and the threat to public health and safety, the structure must meet all of the conditions and considerations of section 16-169, this section, and the following standards:

- (1) Use of the structure must be limited to agricultural purposes as listed below:
  - a. Pole frame buildings with open or closed sides used exclusively for the storage of farm machinery and equipment,

- 
- b. Steel grain bins and steel frame corncribs,
  - c. Irrigation sheds in connection with agricultural uses only, which are no greater than 200 square feet in area,
  - d. General-purpose barns for the temporary feeding of livestock that are open on at least one side; and
  - e. For livestock confinement buildings, poultry houses, dairy operations, and similar livestock operations, variances may not be issued for substantially damaged structures. New construction or substantial improvement of such structures must meet the elevation requirements of subsection 16-122(2) of this article.
- (2) In the case of a substantially damaged existing structure, the agricultural structure must be built or rebuilt with flood-resistant materials for the exterior and interior building components and elements below the base flood elevation.
  - (3) The agricultural structure must be adequately anchored to prevent flotation, collapse, or lateral movement. All of the structure's components must be capable of resisting specific flood-related forces including buoyancy, hydrostatic, hydrodynamic, and debris impact forces. Where flood velocities exceed five feet per second, fast-flowing floodwaters can exert considerable pressure on the building's enclosure walls or foundation walls.
  - (4) The agricultural structure must meet the venting requirement of subsection 16-122(5) of this article.
  - (5) Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with section 16-121 of this article.
  - (6) The agricultural structure must comply with the floodway encroachment provisions of subsection 16-122(7).
  - (7) Major equipment, machinery, or other contents must be protected. Such protection may include protective watertight floodproofed areas within the building, the use of equipment hoists for readily elevating contents, permanently elevating contents on pedestals or shelves above the base flood elevation, or determining that property owners can safely remove contents without risk to lives and that the contents will be located to a specified site out of the special flood hazard area.
  - (8) The agricultural structure must be located in wide, expansive special flood hazard areas, where no other alternative location for the agricultural structure exists. The applicant must demonstrate that the entire farm acreage, consisting of a contiguous parcel of land on which the structure is to be located, is in the special flood hazard area and no other alternative locations for the structure are available.

(Ord. No. 2016-25, § 1(Exh. A), 9-19-2019)

### **Sec. 16-166. Considerations.**

In passing upon such applications, the board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this article, and:

- (1) The danger that materials may be swept onto other lands to the injury of others;
- (2) The danger to life and property due to flooding or erosion damage, and the safety of access to the property in times of flood for ordinary and emergency vehicles;
- (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 flooding or erosion damage, for the proposed use;
  - (7) The compatibility of the proposed use with existing and anticipated development, and the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - (8) 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;
  - (9) 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.

(Ord. No. 2016-25, § 1(Exh. A), 9-19-2019)

### **Sec. 16-167. Findings.**

Findings listed above shall be submitted to the appeal board, in writing, and included in the application for a variance. Additionally, comments from the department of natural resources, land, water and conservation division, state coordinator's office, must be taken into account and included in the permit file.

(Ord. No. 2016-25, § 1(Exh. A), 9-19-2019)

### **Sec. 16-168. Variances in floodways.**

Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result unless a CLOMR is obtained prior to issuance of the variance. In order to insure the project is built in compliance with the CLOMR for which the variance is granted the applicant must provide a bond for 100 percent of the cost to perform the development.

(Ord. No. 2016-25, § 1(Exh. A), 9-19-2019)

### **Sec. 16-169. Conditions.**

Upon consideration of the factors listed above and the purposes of this article, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article. The following conditions shall apply to all variances:

- (1) Variances may not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations, or ordinances.
- (2) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (3) Variances shall only be issued upon a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship, and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- 
- (4) The appeal board may consider the possible impacts on flood insurance premiums and the size of the lot in question.
  - (5) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the BFE and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Such notification shall be maintained with a record of all variance actions.
  - (6) Upon request, the floodplains manager shall maintain the records of all appeal actions and report any variances to DHS-FEMA.
  - (7) Variances shall not be issued for unpermitted development or other development that is not in compliance with the provisions of this article. Violations must be corrected in accordance with section 16-85.

(Ord. No. 2016-25, § 1(Exh. A), 9-19-2019)