

**Amendment  
To The  
Madison County  
Zoning Resolution**

**Adopted January 23, 2007**

**Recorded in  
Commissioners' Journal #71  
Pages 471-475**

**Subject: Resolution – Madison County Zoning Regulations**

**(Ref; Journal #71, Pages 362-366, dated December 18, 2006)**

**A. Resolution**

Mr. Dhume moved, per the recommendation of Steve Pronai, Prosecutor, to adopt the amendments to the Madison county Zoning Resolution to reflect the new language in sections 602, 603 and 2108(a)(c) concerning work done in flood plains within Madison County and that the attached applications be required to be submitted for any building within the flood plain as designated by the Madison County Zoning Resolution. Following a second from Mr. Snyder, the result of the roll call was: Mr. Hackett, yes; Mr. Snyder, Yes; and Mr. Dhume, yes.

**B. Section 6.02 – Agriculture**

**Section 6.02 – AGRICULTURE:** Nothing contained in this Resolution, with the exception of Section 21.08 (floodplain regulations), shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to use for agricultural purposes of the land on which the buildings or structures are located, and no zoning certificate shall be required for any such use, building or structure.

**C. Section 6.03 – Public Utilities and Railroads**

**Section 6.03 – PUBLIC UTILITIES AND RAILROADS:** Nothing contained in this Resolution, with the exception of Section 21.08 (floodplain regulations), shall prevent the location, erection, construction, reconstruction, change alteration, maintenance, removal, use or enlargement of any building or structure of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business. The term “operation of its business” shall not be deemed to include general offices or other uses not related directly to provisions of utility services.

**D. Section 21.08 (a)**

The County Zoning Department and/or County Building Department shall maintain on file for public examination, current copies of Madison County’s Flood Insurance Rate Map (FIRM) and Flood Insurance Study shall be used to delineate the boundaries of the floodplain for the purposes of enforcing the requirements of these regulations.

**E. Section 21.08 (c)**

No structure shall be permitted within the 100 year floodplain. No use shall be permitted within the floodplain that will adversely impact the natural benefits and function of the 100-year floodplain. Possible adverse impact to the natural benefits and function of the 100-year floodplain include:

- a. Detrimental changes in hydrology
- b. Detrimental changes in geomorphology
- c. Detrimental changes in water quality
- d. Detrimental changes in aquatic and terrestrial habitat, and ecology
- e. Detrimental changes in natural flood and erosion control function

F. Variance/Appeal Application and Record

**VARIANCE/APEAL APPLICATION AND RECORD**

A variance is a grant of relief given by a community from the terms of specific standards required in its floodplain regulations. The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by the Federal government according to actuarial risk and will not be modified by the granting of a variance. **ANY VARIANCE GRANTED BY A COMMUNITY MUST BE CONSISTENT WITH THE NFIP GUIDELINES AND WITH LOCAL LAW.**

1. Name of applicant: \_\_\_\_\_
2. Specify the section of the floodplain regulations from which a variance is sought: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
3. Explain how proposed development would vary from the provisions of the floodplain regulations: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
4. Explain the hardship imposed if a strict application of the floodplain regulations is enforced: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*NOTE: Applicant may attach any additional supporting documents and data he/she feels necessary to help explain this project and variance request.*

**AN APPLICANT RECEIVING A VARIANCE TO BUILD A STRUCTURE WITH THE LOWEST FLOOR ELEVATION BELOW THE BASE FLOOD ELEVATION (100-YEAR) IS HEREBY NOTIFIED THAT THE REDUCED FLOOR ELEVATION WILL RESULT IN INCREASED PREMIUM RATES FOR FLOOD INSURANCE UP TO AMOUNTS AS HIGH AS \$25 PER \$100 OF INSURANCE COVERAGE. CONSTRUCTION BELOW THE BASE FLOOD LEVEL INCREASES RISKS TO LIFE AND PROPERTY.**

**AS PROVIDED IN CHAPTER 2506 OF THE OHIO REVISED CODE, THOSE AGGRIEVED BY THE DECISION OF THE APPEALS BOARD MAY APPEAL SUCH DECISIONS TO THE COUNTY COURT OF COMMON PLEAS.**

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Applicants Signature    Date    Administrator's Signature    Date

**RECORD OF VARIANCE ACTIONS (Floodplain Administrator complete)**

Variance request submitted to on \_\_\_\_\_. Variance hearing on \_\_\_\_\_  
 in accordance with the criteria and guidelines of \_\_\_\_\_ (Community Name) Flood  
 Damage Reduction Regulations, the Appeal Board hereby [ ] approves, [ ] denies the above request for variance.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Chair, Appeals Board    Date

Decisions of the board:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Special Provisions of Variance Approval:

---

---

---

*Note: For permit file purposes, attach the official hearing record and ensure that the eleven variance evaluation factors in the community's flood damage reduction regulations have been considered and are included in the written record.*

**F. FLOOD HAZARD AREA DEVELOPMENT PERMIT APPLICATION**

**FLOOD HAZARD AREA DEVELOPMENT PERMIT APPLICATION**

---

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

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

Owner's Name: \_\_\_\_\_ Builder/Developer: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

**LOCATION OF DEVELOPMENT SITE**

1. Location of proposed development site address: \_\_\_\_\_
2. Legal description: \_\_\_\_\_

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

**DESCRIPTION OF WORK**

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

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

Additional activity description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

*NOTES AND ADDITIONAL SUBMITTAL REQUIREMENTS:*

- *In addition to completion of this form the applicant agrees to submit any additional information required by the floodplain administrator in order to determine that the proposed development is compliant with the local and federal flood damage prevention criteria of the National Flood Insurance Program. Site plans for all development proposals must:*
  - *Be drawn to scale with north arrow.*
  - *Show property boundaries, floodway, and floodplain lines.*
  - *Show dimensions of the lot.*
  - *Show dimensions and location of existing and/or proposed development on the site.*
  - *Show areas to be cut and filled.*
  
- *Applications for residential and non-residential structures must also include:*
  - *The proposed lowest floor elevation based on the datum used on the effective Flood Insurance Rate Map and base elevation for the site.*
  - *Identification of whether the structure has a basement or enclosure below the lowest floor, and if it contains a basement or enclosure, detailed drawings showing foundation openings to allow passage of floodwaters.*
  - *Description of how building utilities will be protected from flood waters including drawings showing location of such utilities.*
  - *Detailed description of anchoring system for all mobile and manufactured homes.*
  - *Description of construction materials that will be used below the flood protection elevation.*
  
- *An existing structure must comply with the flood protection standards if it is substantially improved (an improvement equal to or greater than 50% of the market value of the structure). The “substantial improvement” definition applies to existing structures only and that once a structure meets the definition of “new construction” any further improvements to that structure must meet “new construction” requirements. For floodplain management purposes “new construction” means structures for which “start of construction” began on or after the effective date of the initial Flood Insurance Rate Map issued by FEMA for the community.*
  
- *Any Pre-FIRM structure within the FHA that has sustained damage from any source (flood, fire, etc...) must be elevated to determine if the structure is “substantially damaged” (damaged to 50% or more of the market value of the structure). If the structure is “substantially damaged”, the structure must be brought into compliance with the flood protection standards.*
  
- *For subdivision proposals greater than 5 acres or 50 lots, or large-scale developments greater than 5 acres, a hydrologic and hydraulic analysis must be conducted to determine base flood elevations in flood hazard areas where no base flood elevations are provided.*
  
- *A Conditional Letter of Map Revision (CLOMR) must be obtained for proposed projects that would result in more than a 1.0 foot increase in BFE on a watercourse that has been studied through detailed hydrologic and hydraulic analyses where BFEs have been specified, but no floodway has been designated **OR** when a project proposed (totally or partially within the floodway) along a watercourse for which detailed analyses have been conducted and BFEs and a floodway have been designated would result in any (greater than 0.0 foot) increase in the BFE.*
  
- *Applications for non-residential structures proposed to be floodproofed must have a completed FEMA floodproofing certification form attached (can only be completed by a Registered Professional Engineer or Architect).*

- *All developmental proposals determined to be located in a floodway must be accompanied by a hydrologic and hydraulic analysis showing impacts on of the development on flood heights (can only be completed by a Registered Professional Engineer).*
- *Development proposals that are considered alterations of a watercourse must be accompanied by an analysis showing that the flood carrying capacity of the watercourse has not be reduced.*

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

Applicants Signature:

---

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



G. Flood Hazard Area Development Permit Administrative Checklist

**FLOOD HAZARD AREA DEVELOPMENT PERMIT  
ADMINISTRATIVE CHECKLIST**

---

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

1. The proposed development is in:

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

Base flood elevation (100 year) at proposed site \_\_\_\_\_ feet m.s.l.  
Data source \_\_\_\_\_

Map effective date \_\_\_\_\_ Community-Panel No. \_\_\_\_\_

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

- Permitted Use.
- Water and wastewater systems standards met.
- Subdivision standards met (All public utilities and facilities safe from flooding, adequate drainage, flood elevations generated where applicable).
- Residential/non-residential structures standards met. Lowest floor elevation \_\_\_\_\_ feet m.s.l.
  - Substantial improvement / substantial damage  
Y / N
  - Anchored properly (manufactured home affixed to permanent foundation) Y / N
  - Utilities protected against flooding Y / N
  - Construction materials below flood protection elevation resistant to flood damage Y / N
  - Lowest floor elevated to or above flood protection elevation (BFE + freeboard) Y / N
  - Has an enclosure below lowest floor (crawl space, walkout basement) Y / N
    - Enclosure have proper number and area of openings Y / N
    - Enclosure unfinished and only used for parking, materials storage or entry Y / N
- Accessory structure standards met (square footage, use, foundation openings). Y / N
- Recreational vehicle standards met.

- \_\_\_\_ Above ground gas or liquid storage tank anchored.
- \_\_\_\_ Flood carrying capacity maintained for floodway development, areas where FEMA has provided BFE data but no floodways, or for alterations of a watercourse.

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

Y / N

DECISION RECORD

4. The proposed development is in compliance with applicable floodplain standards. **FLOOD HAZARD AREA DEVELOPMENT PERMIT ISSUED ON**\_\_\_\_\_.

5. The proposed development is not in compliance with applicable floodplain standards. **FLOOD HAZARD AREA DEVELOPMENT PERMIT DENIED ON** \_\_\_\_\_.  
Reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

6. The proposed development is exempt from the floodplain standards per Section \_\_\_\_\_ of the Flood Damage Prevention Ordinance (Resolution) No. \_\_\_\_\_.

Administrator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

---

H. Flood Hazard Area Development Permit

## **FLOOD HAZARD AREA DEVELOPMENT PERMIT**

---

The permit is issued based on documentation that the information provided in the Flood Hazard Development Permit Application is in compliance with the

\_\_\_\_\_  
(Community Name) Flood Damage Reduction Regulations.

Address or property location:

\_\_\_\_\_

Description of development activity:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The permittee understands and agrees that:

- An as-built Elevation Certificate will be submitted to the Floodplain Administrator after the first floor of a new, substantially improved, or substantially damaged, residential or non-residential structure is constructed;
- A final Letter of Map Revision will be obtained where a Conditional Letter of Map Revision was required as part of the permit application;
- The permit is issued on the representations made herein and on the application for permit;
- The permit may be revoked because of any breach of representation;
- Once a permit is revoked all work shall cease until the permit is reissued or a new permit is issued;
- The permit will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the codes or regulations of the community;
- The permittee hereby gives consent to the Floodplain Administrator to enter and inspect activity covered under the provisions of the Floodplain Management Regulations;
- The permit form will be posted in a conspicuous place on the premises in plain view; and,
- The permit will expire if no work is commenced within one year of issuance.

Issued by: \_\_\_\_\_ Date:

\_\_\_\_\_

Floodplain Administrator

Permit Number: \_\_\_\_\_

MADISON

Chris R. Snyder  
Chris R. Snyder

COUNTY

David D. Hume  
David D. Hume

COMMISSIONERS

Robert D. Hackett  
Robert D. Hackett

ATTEST: Regina L. Benjamin  
Clerk of the Board

\*\*\*\*\*

Official Applications  
must be obtained through  
The Zoning and Building Office  
In the  
Madison County Courthouse  
One North Main Street  
Room 208  
London, Ohio 43140

\*\*\*\*\*

\*\*\*\*

Official Applications  
must be obtained through  
The Zoning and Building Office  
In the  
Madison County Courthouse  
One North Main Street  
Room 208  
London, Ohio 43140