

FLOODPLAIN DEVELOPMENT PERMIT

CITY OF DAPHNE
Floodplain Administrator
1705 Main Street
Daphne, ALABAMA 36526
Phone: 251-620-1703

Application for Permit To Develop in a Floodplain Area

The undersigned hereby makes application for a permit to develop in a designated floodplain area. The work to be performed is described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the *City of Daphne* Floodplain Development Ordinance and with all other applicable local, State and Federal regulations. This application does not create liability on the part of the *City of Daphne* or any officer or employee thereof for any flood damage that results from reliance on this application or any administrative decision made lawfully thereunder.

Applicant: _____ Owner: _____
Address: _____ Address: _____
City: _____ City: _____
State/Zip: _____ State/Zip: _____
Phone: _____ Phone: _____
Site Address of Proposed Development: _____

A. Description of Work (Complete for All Work):

- Description of Proposed Development:
 New Building Residential Addition Filling Channel Alteration
 Manufacture Home Non-Residential Stormwater/Drainage Improvement
 Material/Equipment Storage Utility or Tank Installation Other _____
- Size and location of proposed development (attach a site plan):

- Is the proposed development in a Special Flood Hazard Area (Zones A, AE, A1-A30, AH, AO, V, VE)?
Yes No
- Per the flood insurance rate map (FIRM), what zone and panel number is the area of the proposed development?
Zone: _____ FIRM Panel: _____
- Are other Federal, State, or Local permits required?
Yes No
If "Yes", what type are they? _____

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Have all required permits been obtained? Yes No

6. Is the proposed development in a mapped floodway?

Yes No

If "Yes", is a "No-Rise Certification" with supporting data and analysis attached?

Yes No

B. Complete for New Structures:

1. From the Flood Insurance Study (FIS or engineering study) or other reliable source, what is the base flood elevation (BFE) at the site where the proposed structure is to be located?

BFE: _____ ft, _____ (NGVD, NAVD, Other _____)

Source: _____

2. What is the required lowest floor elevation (including basement): _____ ft, _____ (NGVD, NAVD, Other _____)

3. Elevation that all attendant utilities, including all electrical, mechanical (HVAC), and plumbing equipment will be protected from flood damage: _____ ft, _____ (NGVD, NAVD, Other _____)

C. Complete for Alterations, Additions, Repairs, or Improvements to Existing Structures:

1. What is the estimated market value of the existing structure? \$ _____

2. What is the cost of the proposed construction? \$ _____

Note: Free materials and volunteer labor must be included at a fair market cost as if they were purchased or hired.

3. Calculated percent proposed construction is of the structure's market value? _____

4. Permit the structure as a substantial improvement? Yes No

NOTE: If the cost of the proposed construction equals or exceeds 50 percent of the market value of the structure, then the NFIP's substantial improvement/repair provisions shall apply.

D. Complete for Non-Residential Floodproofed Construction:

1. Type of floodproofing method:

Wet Dry

2. The required floodproofing elevation is: _____ ft, _____ (NGVD, NAVD, Other _____)

3. Floodproofing certification by a registered engineer is attached: Yes No

E. Complete for Subdivisions and Planned Unit Developments:

1. Will the subdivision or other development contain 50 lots or 5 acres? Yes No

2. If yes, does the plat or proposal clearly identify base flood elevations? Yes No

3. Are the 100-year floodplain and floodway (if depicted on the FIRM) delineated on the site plan/plat?
Yes No

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DECLARATION OF ACCURACY AND SIGNATURE

I _____, hereby certify that I have read this application and that all information
(please print)
contained herein is accurate and true, to the best of my knowledge and belief. If any portion of this information, either intentionally or unintentionally, is false or is a misrepresentation of the material facts, the permit or process granted will be void and that I will be subject to the fines and penalties listed in the community's Flood Damage Prevention Ordinance. I further certify that if I am not the owner, I have proper authorization from the owner to act as representative on his/her behalf and that I may be required to provide written documentation of such authorization.

Applicant's Signature: _____ Date: _____

By signing this permit, the applicant agrees to abide by and comply with the Terms & Conditions as stated on the following pages.

ADMINISTRATIVE USE ONLY

1. Permit disposition: Approved Denied (Statement from Floodplain Administrator attached)

2. Elevation Certificate attached: Yes No

3. As-Built lowest floor elevation: _____ ft, _____ (NGVD, NAVD, Other _____)

4. Work inspected by: _____ Date(s): _____

Findings: _____

5. Work completed in compliance with Flood Damage Prevention Ordinance? Yes No

6. Local Floodplain Administrator's Signature: _____

Date: _____

7. **PERMIT CONDITIONS:** _____

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TERMS & CONDITIONS

NOTE: Any work undertaken prior to submission and approval of an official permit by the *City of Daphne* shall constitute a violation of the Floodplain Development Ordinance and be at the permit holder's risk.

Permit Required: As required by the Federal Emergency Management Agency (FEMA) Code of Federal Regulations, National Flood Insurance Program, (NFIP) 44 CFR Part 60.3(a)(1) and in the *City of Daphne* Floodplain Development Ordinance, no work of any kind may begin in the Special Flood Hazard Area (SFHA) until a Floodplain Development Permit is issued. All provisions of the Ordinance shall be reviewed and strictly adhered to for development in the SFHA.

The permit shall be for all structures and for all development, including fill and other activities, as set forth in the Floodplain Ordinance. Examples of such activities include but are not limited to new construction, reconstruction, rebuilding, placement of manufactured homes, placement of small outbuildings, fences, walls, clearing of trees and other vegetation, placement of driveway culverts or bridges, long term storage of equipment and materials or any man-made change to improved or unimproved real estate such as dredging, drilling, excavation, filling, grading, logging, mining, or paving. The Floodplain Development Permit requirement is intended to allow the *City of Daphne* to monitor activities located in the SFHA to ensure the following:

- Base flood elevations (BFE) do not significantly change as a result of development;
- Buildings in floodways and floodplains are constructed and maintained properly;
- Substantially damaged/improved buildings are brought into compliance with current floodplain regulations;
- Development in a floodway must not cause an increase in the BFE of more than 0.00 feet anywhere in the SFHA; and
- All provisions of the community's ordinance are complied with and a final approval of the development is approved by the community's Floodplain Administrator.

Application for Permit: Application for a Floodplain Development Permit shall be made on forms furnished by the *City of Daphne*. If a change of ownership of the affected property occurs following the issuance of a permit and prior to issuance of a Certificate of Compliance, the new owner(s) shall submit an application within 15 days of the date of ownership change. If a new application is not submitted within the 15 days, all work must cease immediately. No deviation from the original application is allowed except the change of ownership. By signing and submitting this application the Applicant certifies that all statements contained in the application, and in any additional attachments, are true and accurate. All applications shall include the following as they apply to the project:

A. **Plans** in duplicate, drawn to scale, showing:

- The nature, location, dimensions and elevations of the area in question, including the location of the property with reference to river and stream channels, floodplain and floodway, and the location of permanent or temporary reference marks
- Existing and proposed structures and/or development;
- Fill and excavation details;
- Storage of materials;
- Location of drainage facilities;
- Elevation (in relation to mean sea level) of the bottom floor of all structures (including basements or crawl spaces);
- Engineering details and description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
- If applicable, elevation (in relation to mean sea level) to which any structure will be flood proofed and certification by a registered professional engineer that flood-proofing methods for any structure meet the flood-proofing criteria established in the Floodplain Development Ordinance;
- Extent of foundation walls and footings below finished grade;
- Size and location of all flood openings/vents; and
- Elevations of all mechanical, electrical, plumbing, and ducting.

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- B. **For structures**, an Elevation Certificate based on construction drawings from a registered engineer or licensed surveyor. A finished construction Elevation Certificate will be required upon completion of the structure before the Certificate of Compliance is issued.
- C. Copies of **environmental permits** from federal or state agencies, if applicable, and evidence of notification of the adjacent communities and FEMA of any alteration or relocation of watercourses.
- D. Any additional information required by the Floodplain Administrator.

Note: Application for a Floodplain Development Permit (FDP) is a SEPARATE Process from the Building Permit application process.

Field Information: The applicant's engineer or surveyor shall establish a minimum of two temporary Base Flood Elevation marks within 50 feet of the proposed development and the floodway boundary shall be marked every 50 feet along the floodplain boundary across the property. The floodway boundary shall be established using FEMA's Flood Insurance Rate Map.

Review: Upon receipt of a completed Floodplain Development Permit Application, the Floodplain Administrator shall review the application and grant or deny the requested development permit, in accordance with the provisions of the Floodplain Development Ordinance and current FEMA NFIP rules and regulations.

Notice To Applicant, Issuance Of Permit: After a decision has been rendered, the Floodplain Administrator shall return one copy of the application and decision, including any special permit conditions that apply, after having marked such copy either as approved or denied and attested to the same by signing such copy. One copy of the completed application, decision and special conditions shall be retained by the Floodplain Administrator. The Floodplain Administrator shall issue a placard to be posted in a conspicuous place on the affected property, and the placard shall remain posted until a Certificate of Compliance is issued, attesting to the fact that the use or alteration is in compliance with the provisions of the Floodplain Ordinance.

Certificate of Compliance: The development may not be used or occupied until a Certificate of Compliance is issued. By signing and submitting this application the Applicant gives consent to the Floodplain Administrator or a designee to make reasonable inspections prior to the issuance of a Certificate of Compliance.

Expiration and Revocation of Floodplain Development Permit: A Floodplain Development Permit shall be subject to expiration and/or revocation by the Floodplain Administrator under the following circumstances:

- Upon change of ownership, the new owner does not submit an application within 15 days of the change of ownership.
- The owner deviates from the original application in any way other than change of ownership.
- Work has not started within 180 days of permit approval or if work is suspended for 180 days. (Extensions may be granted by the Floodplain Administrator but must be obtained within one year of the date of issue.)

Appeals for Permit: Any person aggrieved by a decision of the Floodplain Administrator in the grant or denial of a Floodplain Development Permit may appeal such decision to the City Council by filing a notice of appeal stating the nature of the appeal within thirty (30) days of the return of the Floodplain Administrator's decision to the Applicant.

Stop Work Order: The community may issue a Stop Work Order when the Applicant is believed by the Floodplain Administrator to be out of compliance with this Permit and/or the Floodplain Development Ordinance. All work on the project shall immediately cease upon issuance of the notice. Such notice shall be in writing and remain in effect until the Applicant has taken the remedial actions set forth in the Notice of Violation.

Notice of Violation: If the community determines that an applicant has failed to comply with the terms and conditions of a permit, or otherwise not in accordance with the provisions of the Ordinance, it shall issue a written Notice of Violation, by certified return receipt mail, to the applicant. The notice shall include the applicant's name, the address or description of the site, the nature of the violation, description of the remedial measures required, and a statement of

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the penalties that may be assessed. Civil penalties may apply.

Appeals for Violation: The procedures outlined in the Floodplain Development Ordinance shall be followed regarding administrative or judicial appeals for a Notice of Violation and any associated civil penalties.

Document retention: In accordance with NFIP regulations and the Floodplain Development Ordinance, documentation related to this application must be retained. Specifically, all records including but not limited to Floodplain Development Permits, elevation certificates, engineering certificates, Certificates of Compliance and plot maps must be permanently retained by the community for public inspection at the community's administrative offices or another similar facility.

For clarification of any of the above Instructions, refer to the community's Floodplain Development Ordinance. If there is any discrepancy between these Instructions and the Ordinance, the requirements in the Ordinance shall prevail as it serves as regulations adopted by the community.