



Floodplain Variance Request Application: Administrative Variance

County of Henrico, Virginia
Department of Public Works, Design Engineering Division
P.O. Box 90775, Henrico, VA 23273-0775 | 4305 E. Parham Rd., Henrico, VA 23228
Phone: (804) 501-4393 | Email: flood@henrico.us | <https://henrico.gov/works/design>

Section 1: General Information

A. General Conditions of this Variance Application

1. A variance is a grant of relief from any requirement of the Henrico County Floodplain Ordinance. Variances may only be granted in compliance with the provisions of Division 5 of the Floodplain Ordinance found at Henrico County Code Sec. 10-14, et seq.
2. No work may begin in a Special Flood Hazard Area (SFHA) or areas adjacent until a floodplain development permit has been issued.
3. The issuance of a variance does not guarantee that a floodplain development permit will be issued for the project.
4. By signing and submitting this application, the applicant certifies that all statements contained herein, and any additional documents submitted with the application are true and accurate.
5. Applicant is hereby informed that other permits may be required to fulfill local, state, or federal regulatory requirements.

Items in **gray boxes** are for Office Use Only and will be completed by DPW staff when reviewing the permit.

B. Pre-Application Meeting

A pre-application meeting may be requested with the Floodplain Administrator to discuss the proposed development, ordinance requirements, and the application procedures that will apply to that project. While pre-application meetings are not mandatory, they are recommended for large and/or complicated projects. Discussions or guidance offered by the Floodplain Administrator during a pre-application meeting do not constitute a commitment to approve or deny an application.

Applicants are strongly encouraged to review the [Henrico County Technical Guidance Manual for Floodplain Management](#) to learn more about floodplain development requirements, as well as additional guidance for meeting technical requirements.

C. Application Submittal

All application submittals, including Floodplain Development Permits, Plan Review applications (Plan of Development (POD), Subdivision (SUB), Clearing, Grading, and Grubbing (CGG), etc.), and Floodplain Variances, must be submitted through [Build Henrico](#).

At this time, Floodplain Variances do not have their own application type in Build Henrico, so variance applications must be submitted through the [Build Henrico](#) site as an attachment to the associated Floodplain Development Permit or Plan Review Submittal. When uploading the attachment, select "DPW – Floodplain Documentation" as the "Document Type" and then fill in the "Comments" section to identify the document as a variance application.

Section 2: Owner, Applicant, and Property Information

A. Owner of Record: (if more than one owner, attach additional sheets)

Name: _____
Street Address: _____
Mailing Address: _____
Phone Number: _____ Email Address: _____
Signature: _____ Print Name: _____ Date: _____

B. Applicant Information:

Name: _____
Street Address: _____
Mailing Address: _____
Phone Number: _____ Email Address: _____
Signature: _____ Print Name: _____ Date: _____

C. Property Information:

Property Address: _____
Parcel Number (GPIN): _____ Tax Assessed Value (structure only): _____
Subdivision: _____ Section: _____ Block: _____ Lot: _____

D. Floodplain Determination

Flood Zone(s): A AE Floodway Shaded X | Community SFHA FEMA SFHA
 Project is adjacent to floodplain (within required setbacks, low spot, next to end of study)
Base Flood Elevation (BFE): _____ (based on NAVD 88)
Floodplain Map Effective Date: _____ FIRM Panel (if applicable): _____

Section 3: Variance Request Information

A. Project Description

Description must include project description, ordinance requirements, explanation of what requirements are being requested to be waived, and explanation of why the ordinance requirements cannot be met (i.e., need for the variance request). Please be specific as possible and attach additional pages if needed.

Project Cost: _____
Is the project a substantial improvement/damage? Yes No

B. Ordinance Requirement(s) Requesting to be Waived

Please identify the specific section of the Henrico County Floodplain Ordinance (example: Henrico County Code Sec. 10-9(b)).

C. Variance Eligibility

Administrative Variances are only applicable to specific activities. Please check the applicable item(s) below and answer the associated question(s) to demonstrate this variance request meets the Administrative Variance eligibility requirements. Additional pages may be attached to this form if additional space is needed.

Minor filling in the SFHA necessary to protect or restore natural floodplain functions or to stabilize stream banks to protect public roads and utilities.

Please provide an explanation of how the project is protecting or restoring natural floodplain functions or stabilizing stream banks to protect public roads and utilities.

Documentation must be attached to this variance request application demonstrating that the requirements in Henrico County Code Sec. 10-9, excluding 10-9(b), have been met.

Dry-floodproofing of nonresidential structures in lieu of requiring higher elevation of the structure.

Please provide an explanation of how elevating the structure is not reasonably feasible because of the nature of the lot and/or the use of the structure.

Please provide an explanation of how all areas of the building components below the elevation corresponding to the BFE plus three feet will be dry floodproofed. This must be designed and constructed in accordance with the VA USBC and ASCE 24 and be certified by a professional engineer or architect.

Documentation must be attached to this variance request application, including a Floodproofing Certificate (FEMA Form 086-0-34) with supporting data and an inspection and operational plan that includes, but is not limited to, installation, exercise, and maintenance of floodproofing measures. Said certification, operational plan, and inspection and maintenance plan shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

- **Rebuilding of a residential structure within the SFHA or setback area that has been substantially damaged by some cause other than flooding.**

Please provide an explanation, including a site plan, demonstrating there is no site outside of the SFHA or setback area for relocation of the structure.

- Documentation must be attached to this variance request application that demonstrates the proposed structure will have the lowest floor, including mechanical equipment, elevated to the BFE plus two feet, as well as flood opening requirements in any enclosures below the BFE, as applicable.

- **Locating stormwater management facilities in the SFHA.**

Please provide an explanation, including a site plan, demonstrating that a location outside of the SFHA is not feasible.

- Documentation must be attached to this variance request application that demonstrates the no rise and no fill requirements in Henrico County Code Secs. 10-9(a) and (b) have been met.
- Documentation must be attached to this variance request application demonstrating that engineering data shows that the proposed stormwater management facility will operate effectively for its intended purpose during a 10-year flood event or the required design storm for the project, whichever is greater, and will have structure stability during a 100-year flood event.

D. Variance Criteria

In addition to the eligibility requirements listed above, all floodplain variance requests must meet the requirements of Henrico County Code Sec. 10-15. Please answer the questions below related to those requirements. Additional pages may be attached to this form if additional space is needed.

1. Please provide an explanation of how this variance request has provided a showing of good and sufficient cause.

2. Please provide an explanation of how the failure to grant the variance request would result in exceptional hardship to the applicant.

3. Please provide an explanation of how this variance request will not create or result in:
 - a. Unacceptable or prohibited increases in flood heights.

 - b. Additional threats to public safety.

 - c. Extraordinary public expense.

 - d. Nuisances.

 - e. Fraud or victimization of the public.

 - f. Conflicts with other existing laws or ordinances.

4. Please provide an explanation of how this variance request will not be detrimental to other property in the vicinity.

5. Please provide an explanation of how the circumstances giving rise to the variance request are not of a general or recurring nature.

6. Please provide an explanation of how the need for the variance arises from the physical character of the property or from the use or development of adjacent property and not from the personal or financial situation of the applicant.

7. Please provide an explanation of how this variance request is for only the minimum necessary to provide relief.

Section 4: Documentation

The following documentation is required to complete this application. Check all that are applicable to the proposed development and attach documentation to the application form.

A. Documentation Required for All Development

- Site Plan (must clearly identify floodplain boundaries (100-yr and 500-yr), existing development, proposed development, and distance from floodplain to proposed/existing structures).
- All applicable documents identified in Section 3 above.
- No-Rise Certificate with supporting technical data (required only if located within the SFHA).

B. Additional Documentation That May Be Required for Development

Additional documentation may be required to support this variance application. This will be dependent on the proposed development and variance request. Applicants should coordinate with the Floodplain Administrator to determine what documentation may be necessary to support this application prior to submittal.

Examples of Additional Documentation:

- Construction Documents for Building (must clearly identify elevations for the lowest floor and mechanical equipment and if applicable, the location, size, and height above grade for all flood openings).
- Dry Floodproofing Certificate.
- Itemized Cost Breakdown (for additions/alterations to existing structures only).
- Historic Structure Documentation.
- Flood-Damage Resistant Material Documentation.
- Letter of Map Change Documentation.
- Property Owner Notification Documentation (for alteration of a watercourse only).

Section 5: Certification

I, the applicant, certify that to the best of my knowledge the information contained in this application is true and accurate. I understand that the granting of a floodplain variance may result in increased risk to life and property and increased flood insurance premiums on this property.

Signature: _____ Print Name: _____ Date: _____

OFFICE USE ONLY

Section 6: Variance Request Review and Determination

DPW-Floodplain Management

Date Received: _____ Received By: _____

Application Determined Complete: Yes No Date: _____ Initials: _____

If no, application returned to applicant for corrections. Date: _____ Initials: _____

Resubmitted Application Date Received: _____ Received By: _____

Resubmitted Application Determined Complete: Date: _____ Initials: _____

- Variance Request Approved.** The information submitted for the proposed project was reviewed and determined to be in compliance with the variance requirements in the Henrico County Floodplain Ordinance and determined to be the minimum necessary to provide relief. The granting of this variance may result in increased risk to life and property and increased flood insurance premiums on this property.
- Variance Request Approved with Conditions.** The information submitted for the proposed project was reviewed and approved with conditions outlined below. The granting of this variance may result in increased risk to life and property and increased flood insurance premiums on this property.

- Variance Request Denied.** The proposed project is not in compliance with the Henrico County Floodplain Ordinance, as outlined below:

Floodplain Administrator or Authorized Designee:

Signature: _____ Print Name: _____ Date: _____