

"Any applicant, to whom a variance is granted, shall be given written notice that when a structure is permitted to be built with the lowest habitable floor elevation below the base flood elevation, the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest habitable floor elevation."

- 3. The granting of this variance has been predicated principally on the engineering data and information provided by the petitioner and a review of same with respect to the considerations required by the Ord. No. 79-62.

The granting of this variance by the Board of Zoning Appeals does not make or imply any assurances that the subject property or structures are not subject to flood damages.

Further, the granting of this variance shall not create liability on the part of Collier County or by any officer or employee thereof for any flood damages that result from reliance on this variance or any administrative decision lawfully made thereunder.

In accepting this variance, the petitioner assumes all responsibility for any property damage resulting from its application.

Commissioner Holland motioned, seconded by Commissioner Brown for the adoption of this Resolution. Upon call for the vote, the motion carried.

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DATE: February 15, 1983

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

ATTEST:  
WILLIAM J. REAGAN, CLERK

*William J. Reagan*

BY: Mary Frances Kense  
CHAIRMAN

shall constitute compliance with Section 18, Paragraph (10) of Ord. No. 79-62 which reads as follows:

...and has requested a variance from the minimum Base Flood Elevation required by the Ord. No. 79-62; and,

WHEREAS, the Board of Zoning Appeals has held a public hearing as required by law; has reviewed Petition FDPO-83-V-1 in accordance with Section 18 (5), (6) and (7), and has made a finding that the granting of this petition complies with the intent and purpose of Ord. 79-62 as follows:

- (5) The 1.2 feet reduction from the Flood Insurance Rate Map (FIRM) 12 National Geodetic Vertical Datum (NGVD) requirement to 10.8 NGVD is the minimum variance necessary, considering the flood hazard, to afford relief, as the home has already been completed and there is no practical alteration which could alleviate the problem.
- (6) The variance is issued upon:
  - (a) A showing of good and sufficient cause based on review of considerations contained in (7), following.
  - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant.
  - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (7) In passing upon this variance, the Board of Zoning Appeals has considered all technical evaluations provided to it, all relevant factors, the standards specified in Ordinance No. 79-62, especially those contained in Paragraph 18 (7)(a-1)

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, that Petition FDPO-83-V-1 is hereby granted subject to the following conditions:

1. The variance shall be for the reduction of the Minimum Base Flood Elevation required by Ord. No. 79-62 from 12 feet NGVD to 10.8 feet NGVD.
2. The Chief Administrative Official shall mail a copy of this Resolution to the petitioner by registered return receipt and such mailing shall constitute compliance with Section 18, Paragraph (10) of Ord. No. 79-62 which reads as follows:

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