

June 01, 1995

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The Zoning Board of Adjustment of the City of Buffalo, Ia, met on Thursday, June 01, 1995, at 6:00 p.m. at City Hall. Present were Dick Abbott, Chairman; Leota Buffington, Robin Guenther, Jeff Moore and Clarence Secord. Absent, none.

The purpose of the meeting was to consider a request for a hardship variance on a rental property owned by Tyrone and Josie Collins at 414 W. Front St., Buffalo. As a result of the 1993 flood, the N.F.I.P. was requiring the residence to be elevated one foot, according to the 100 year floodplain maps and the city ordinance. The structure is physically joined to a residential structure of a separate owner. The variance of the flood plain ordinance would allow Community Development Block Grant program funding for the rehabilitation of the property for use as a rental unit. The variance will approve the waiver of the elevation previously required by F.E.M.A. Both F.E.M.A. and the Scott County Board of Supervisors have approved the waiver of the elevation of this property because of the hardship it creates by being connected to the property next door of a different owner. This is a very unique case, according to F.E.M.A., possibly the only time a case such as this type has come up in Iowa. The property next door does not require an elevation, so this is the hardship, on the other owner. If the variance is not granted by Buffalo, the building would have to be torn down, or the residents who have flood insurance could lose their coverage or possibly their rates could go up. All that will be avoided with the variance.

There was considerable discussion and explanations between the Board, Mayor Hoover, City Clerk and the Collins. Each individual case must be handled differently that developed from the flood. One letter had been received from a concerned citizen that was against the variance. If another "special case" is approved by the Board of Supervisors and F.E.M.A., the Board could be asked to consider another variance at some time in the future, but this would only occur after the proper procedures had been taken by the persons asking for the variance.

Motion made by Robin Guenther and seconded by Clarence Secord and Leota Buffington, to recommend to the City Council to approve by resolution this "hardship variance" only on this case at this time. All members voted yes. Motion carried. The Board adjourned the meeting at approximately 7:15 p.m.

Signed: Dick Abbott

Dick Abbott,
Chairman
Board of Adjustment
Buffalo, IA

Attest: Carol A. Bernauer

Carol A. Bernauer,
City Clerk
Buffalo, IA