



CITY OF TALENT • COMMUNITY DEVELOPMENT
 PO Box 445, Talent, Oregon 97540
 Phone: (541) 535-7401 Fax: (541) 535-7423 www.cityoftalent.org

GENERAL LAND USE APPLICATION

Project Description Variance to the 35-foot Greenway area setback for a replacement dwelling		
Property Owner Judith Mueller	Mailing Address (include city, state, zip) 2442 Siskiyou Blvd. Medford, OR 97504	Phone
Street Address or Property Location 232 Willow Springs Drive	Email Address	
Applicant/Consultant (if not owner) Buntin Construction, LLC.	Mailing Address (include city, state, zip) 572 Parsons Dr. Medford, OR 97501	Phone 541-776-0032

Assessor's Map Number (Township, Range, Section, Quarter Section)	Tax Lot Number	Acres	Zone
38-1W- 23AC	1300	.23	RLD
38-1W-			

Subzone (if applicable) _____

Pre-Application Meeting Completed? Yes No N/A Date Completed: _____

APPLICATION TYPE (check all boxes that apply)

<input type="checkbox"/> Site Development Plan Review	<input type="checkbox"/> Conditional Use Permit
<input checked="" type="checkbox"/> Variance	<input type="checkbox"/> Home Occupation
<input type="checkbox"/> Fence	<input type="checkbox"/> Code Interpretation
<input type="checkbox"/> Annexation	<input type="checkbox"/> Comprehensive Plan Amendment (text)
<input type="checkbox"/> Accessory Dwelling Unit	<input type="checkbox"/> Comprehensive Plan Map/Zoning Map Change
<input type="checkbox"/> Appeal	<input type="checkbox"/> Development Code Amendment

ACCURACY STATEMENT

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location is found to be incorrect, the owner assumes full responsibility.

[Signature]
 Applicant's Signature
[Signature]
 Property Owner's Signature (required)
[Signature]

11-16-21
 Date
11/15/21
 Date
11/15/21


APPLICATION FEES & DEPOSITS
(Application fees are calculated by ACTUAL PROCESSING COSTS)


Fees and deposits are intended to cover the full cost for processing applications. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits.


Application Deposits: Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. The actual costs charged to the City for technical review of land use applications, including but not limited to City's planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing applications, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to applicant. Any additional costs incurred beyond the deposit amount shall be charged to and paid by the applicant on a monthly basis. The applicant agrees that any deficiencies shall be collected from applicant, and that applicant's failure to pay these amounts triggers the City's option to pursue any or all remedies, as listed below.

Fixed Fee Applications: Fees are non-refundable and are based on average application processing costs rounded to the nearest dollar.

Applicant acknowledges and agrees that Applicant's failure to pay City costs over the deposit fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to liening property in the amount owed; prosecution for violation of the City's current fee resolution and City land development or division ordinances; issuance of a stop work order, non-issuance of building permits for property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.


Applicant's Signature *for Buntin Const.*


Property owner's Signature (required)

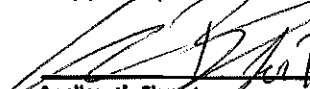



11-16-2
Date


11/15/21
Date

11/15/21

I hereby acknowledge that my applications may be consolidated. When an applicant applies for more than one type of land use or development permit (e.g., Type-II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: (1) City Planner, (2) the Planning Commission, and (3) the City Council. Joint meetings between governing bodies may be held to streamline the decision process.


Applicant's Signature *for Buntin Const.*


Property owner's Signature (required)



11-16-21
Date

11/15/21
Date

11/15/21

FOR OFFICE USE ONLY			
Deposit Paid (Amount)	Date	Received by	File Number

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

BEFORE THE DEPARTMENT OF COMMUNITY DEVELOPMENT
CITY OF TALENT, OREGON

IN THE MATTER OF AN APPLICATION)
FOR A VARIANCE FOR A .23-ACRE LOT,)
DESCRIBED AS T.38S-R.1W-S.23AC, TAX)
LOT 1300; THOMAS & JUDITH MUELLER,)
OWNERS / APPLICANTS; RICHARD)
STEVENS & ASSOCIATES, INC., LAND USE)
CONSULTANTS; BUNTIN CONSTRUCTION)
LLC, AGENTS)

VARIANCE
FINDINGS OF FACT

RECITALS:

Property Owners: Thomas & Judith Mueller
2442 Siskiyou Blvd.
Medford, OR 97504

Agents: Buntin Construction, LLC
572 Parsons Dr.
Medford, OR 97501
(541) 776-0032

Consultants: Richard Stevens & Associates, Inc.
P.O. Box 4368
Medford, OR 97501
(541) 773-2646

Zoning- Single Family – Low Density (RMD)

Comp. Plan- Residential Low Density (rl)

Situs Address: 232 Willow Springs Dr.

Area- .23 acres

INTRODUCTION:

This variance application is submitted by the property owners/applicants, Thomas and Judith Mueller, to seek relief from Chapter 18.85 and Chapter 15.15 of the Talent Municipal Code (TMC) for locating a replacement dwelling that was destroyed with the Almeda Fire. Due to health issues, it is no longer feasible for the property owners to reside in a two-story dwelling. Rather, a single-story dwelling with an expanded footprint is required for the property owners' livability on the subject lot.

The subject property is located at the terminus of a minimum access easement from Willow Springs Drive, a public residential street. The mapped 100-year floodplain has been studied and analyzed by Mr. Hibbs with LJ Friar & Associates, PC, a licensed surveyor, and reviewed by FEMA, which has relocated the floodplain boundary on the subject property. FEMA has agreed with the survey information and approved a Letter of Map Revision (LOMR) for the subject property. Therefore, based on this information, the proposed building footprint is located outside of the 100-year floodplain and outside of the floodway for Bear Creek; however, the proposed footprint for the dwelling is located within 35 feet of the floodway boundaries, or the designated Greenway areaper Section 18.85.020(C)(2) TMC.

Due to the approved LOMR by FEMA prepared by the applicant, the proposed building footprint is located within the Greenway area, approximately 10 feet from the eastern floodway boundary, approximately 20 feet from the southern floodway boundary and approximately 13 feet from the northern floodway boundary. The northern and southern floodway boundaries have not been individually studied for a map amendment with FEMA. Therefore, the existing boundaries are still applicable for this variance request.

APPROVAL CRITERIA:

Chapter 18.160 - VARIANCE:

Section 18.160.010: Authorization to grant or deny variances.

- A. *The planning commission is delegated the authority to approve, approve with conditions, or disapprove any proposed variance from the provisions of this title. Where practical difficulties, unnecessary hardships, and results inconsistent with the general purposes of this title and the Talent comprehensive plan would result from the strict and literal interpretation and enforcement of the provisions of this title, variances may be granted as provided in this chapter.*

Response:

The applicants are requesting that the planning commission approve this variance request, due to the revised FEMA mapping that occurred in 2011, after the Willow Springs Estates subdivision was approved in 2004 and the dwelling was constructed on the subject property. This map revision in 2011 placed a practical hardship and difficulty to reestablish a dwelling on the subject property. The applicants agree to any reasonable conditions that may be applicable with this variance request related to the strict provision for a 35-foot Greenway area abutting the floodway boundary. The review and approval of Willow Springs Estates by the City of Talent already provided Tract "A" of Willow Springs Estates as an open space/Greenway feature.

B. No variances shall be granted to allow the use of property for a purpose not authorized within the zone in which such property is located.

Response:

The applicants are requesting to reestablish a detached single-family dwelling on the subject property, which is a permitted use within the RMD zoning district.

C. In granting a variance, the planning commission may attach conditions that it finds necessary to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purposes of this chapter.

Response:

The applicants agree to any applicable and reasonable conditions of approval. There are no adverse impacts to the surrounding properties identified by the applicants with this variance request.

18.160.040: Required findings for granting a variance.

The planning commission shall not grant any variance unless all of the following findings are made:

- A. *"There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shapes legally existing prior to the adoption of this chapter, topography, or other circumstances over which the applicant has no control;"*

Discussion:

The subject property was created as Lot 13 of the Willow Springs Estates, when final plat was recorded in June 2004. Since that time, FEMA amended the flood hazard mapping for Bear Creek, which located the floodway boundary to bisect through the middle of the subject property and preexisting footprint of the dwelling, as reflected in the current GIS mapping. Due to this amendment by FEMA, the applicants were required to prepare their own flood study for a replacement dwelling. The results of the applicants' flood study resulted in both the 100-year flood plain and floodway boundaries being relocated, adjacent to the eastern boundary of the subject property and outside of the proposed building footprint and the previous footprint for the dwelling. Therefore, based on the applicants' flood study, the standards and provisions for the 100-year floodplain of Chapter 18.85 are not applicable. The only applicable standard for redevelopment is the 35-foot greenway area abutting the floodway boundary, to which the applicants are requesting a variance.

- B. *"The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;"*

Discussion:

The destruction of homes within the subdivision and neighborhood, due to the Alameda Fire, have placed an additional burden of costs due to FEMA's current floodplain mapping. In order to replace residential dwellings, numerous property owners are required to conduct their own individual flood study to demonstrate that the FEMA mapping is incorrect and needs to be amended. There are several LOMR amendments approved within the area, relocating the 100-year floodplain and the floodway. The applicants' health is a contributing factor for not having a two-story dwelling; therefore, the applicants desire to construct a single level residential dwelling, with similar square footage for livability. Neighboring properties have been able to reconstruct their dwellings, and the applicants desire the same opportunity.

- C. *"The variance would not be detrimental to the purposes of this chapter, the objectives of any city development plan or policy, the goals, policies or text of the comprehensive, or other property in the zone or vicinity in which the property is located;"*

Discussion:

With the applicants' recently approved flood study, it is demonstrated that the proposed footprint for a single level residential dwelling is located outside of the 100-year

floodplain and floodway boundaries. Additionally, an open space/Greenway area will continue to be maintained with Tract "A" of the Willow Springs Estates. Therefore, there is no contemplation that there will be any detriment to the purposes or objectives to the City of Talent Municipal Code or Comprehensive Plan for a replacement dwelling.

D. *"The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship."*

Discussion:

The variance requested is to the 35-foot Greenway area setback from the floodway boundary. The original subdivision plat, recorded in 2004, identified Tract "A" as an open space area that was approved adjacent to the subject property for recreational purposes and Greenway protection. The current Municipal Code requires additional area for protection, which may be seen as an excessive taking. Tract "A" is approximately 122 feet in width adjacent to the southern boundary of Lot 13 (subject property) and approximately 90 feet in width adjacent to the northern boundary of Lot 13.

The proposed building footprint is located approximately 10 feet from the eastern floodway boundary, 24 feet from the southern floodway boundary and approximately 20 feet from the northern floodway boundary. The northern and southern floodway boundaries have not been individually studied for an amendment with FEMA, and therefore are still applicable for calculating the 35 foot Greenway setback. This variance request is the minimum necessary to eliminate the hardship.

FINDINGS:

The City of Talent finds that the variance request is for the strict provision for a 35-foot Greenway area abutting the floodway boundary. The City also finds that, based on the applicant's recent flood study and LOMR approved by FEMA, the proposed building footprint is not located within the 100-year flood plain and floodway boundaries for Bear Creek. This request is to allow a single-story dwelling on the subject property to have the same property rights as others in the neighborhood while demonstrating no adverse impacts to the subject property and surrounding area and is the minimum variance needed to eliminate the hardship. The applicants have identified all applicable information and have demonstrated consistency with the applicable criteria for a variance request found in Section 18.160.040 TMC.

Chapter 15.15, FLOOD DAMAGE PREVENTION:

Section 15.15.060: *Lands to which this chapter applies.*

This chapter shall apply to all areas of special flood hazards within the jurisdiction of the city of Talent, Oregon.

Section 15.15.070: *Basis for establishing the areas of special flood hazard.*

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study of Jackson County, Oregon and Incorporated Areas," Dated May 3, 2011, with accompanying flood insurance rate maps, are hereby adopted by reference and declared to be a part of this chapter. The flood insurance study is on file in the Talent community development department office.

Response:

FEMA updated their information in 2011 and the City of Talent updated their Municipal Code in 2016, which relocated the special flood hazard boundaries after the Willow Springs Estates subdivision was approved and the dwellings were constructed.

As demonstrated with the applicants' recent flood study approved by FEMA, the proposed building footprint is located outside of both the 100-year floodplain and the floodway boundaries for Bear Creek. The special flood hazard area is no longer applicable with the proposed building footprint on the subject property.

Section 15.15.150: *Appeals and variances.*

The planning commission shall hear and decide appeals and requests for variances from the requirements of this chapter.

- B. *Variances: A variance may be permitted by the planning commission based upon the consideration of the factors listed in subsections (A)(1) through (A)(11) of this section, and the variance criteria that follow. The planning commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.*
 - 1. *The variance requested is a variance from the elevation standard for new construction or substantial improvements to be erected on a lot of one-half acres or less in size, contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in subsection (A)(1)*

through (A)(11) of this section have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.

Response:

The subject property is less than .50 acres in size and is contiguous to the north and west with other dwellings that were destroyed by the Alameda fire. The properties within Willow Springs Estates to the north, based on the current mapping, have their preexisting footprints also within the 100-year floodplain, with several properties having the floodway bisecting their property and building footprints.

(A)(1). The danger that materials may be swept onto other lands to the injury of others;

Based on the applicants' recent flood study, the proposed building footprint is located approximately 10 feet outside of the eastern 100-year flood plain boundary; therefore, the potential occurrence for materials/debris from the subject property to be swept downstream to cause damage to other lands is not contemplated.

(A)(2). The danger to life and property due to flooding or erosion damage;

Based on the applicants' recent flood study, the proposed building footprint is located outside of the 100-year flood plain; therefore, the potential for property damage or the danger to life is negligible.

(A)(3). The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

The applicants' recent flood study demonstrates that the proposed building footprint is located outside of the 100-year flood plain; therefore, the potential for structural damage and damage on the individual owner is negligible.

(A)(4). The importance of the services provided by the proposed facility to the community;

The replacement of a residential single-family dwelling provides a close relationship to and opportunities for shopping of retail goods and commodities, which enhances the nearby businesses and downtown vitality.

(A)(5). The necessity to the facility of a waterfront location, where applicable;

Not applicable. There is no reason for a dwelling having a waterfront location.

(A)(6). The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

Not applicable. The applicants' recent flood study demonstrates that the proposed building footprint is located outside of the 100-year flood plain; therefore, the potential for structural damage or erosion damage is negligible.

(A)(7). The compatibility of the proposed use with existing and anticipated development;

A single-family dwelling on the subject property is compatible with the existing neighborhood to the north and west. In addition, the potential future development to the south, being RHD for multi-family developments, is compatible with the single-family dwelling. The lands to the east are for open space and Greenway purposes.

(A)(8). The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

The comprehensive plan identifies this area and the subject property for single family residential uses; therefore, this application is consistent with the comprehensive plan. The applicants' recent flood study demonstrates that the proposed building footprint is located outside of the 100-year flood plain and floodway; therefore, the floodplain management program is no longer applicable to the proposed dwelling.

(A)(9). The safety of access to the property in times of flood for ordinary and emergency vehicles;

When additional lands to the north and south prepare a revised flood study and submit for a LOMR for future development, it can be demonstrated that Willow Springs Drive and the minimum access drive serving the subject property will have safe access, which will be located outside of the floodwaters for emergency and other vehicles.

(A)(10). The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site;

Not applicable. Based on the applicants' recent flood study, the proposed building

footprint is located approximately 10-feet outside of the eastern 100-year flood plain boundary.

(A)(11). *The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges;*

Based on the known flood studies and approved LOMRs within Willow Springs Estates and the expectation of other LOMRs being submitted to FEMA, it is demonstrated that Willow Springs Drive will be located outside of the 100-year flood plain and the floodway for Bear Creek. Thus, the public facilities, public utilities and streets will need minimal services for repair, if any, during or after a flood event.

FINDINGS:

The City of Talent finds that the applicant has addressed the relevant factors for consideration for a variance request, as listed within Section 15.15.150(A). The applicants have demonstrated compliance with these considerations to not have an adverse effect on adjacent lands or be injurious to others and that safety of access for emergency vehicles is maintained with no contemplation for damage to the public streets, facilities and utilities adjacent to the subject property.

CONCLUSIONS:

Based on the above discussions, Findings and the approved LOMR by FEMA, the City of Talent concludes that the requested variance to Chapter 18.85 for the 35-foot Greenway area to the north, south and east is consistent with the criteria and standards found in Chapter 18.160 of the Talent Municipal Code.

This application has also demonstrated that the proposed building footprint for a single-story dwelling is located outside of the 100-year flood plain and that no significant damage or harm to the subject property and surrounding neighborhood is contemplated, consistent with applicable considerations found in Chapter 15.15 TMC.

SUMMARY:

Based upon the above Findings, the proposed site plan and the LOMR approved by FEMA submitted for review, the City of Talent concludes that the requested variance to the 35-foot Greenway area meets the standards for a variance to place a single-story dwelling on the subject property. The City of Talent also concludes that this application is consistent with the requirements for submission with the City of Talent and is consistent with Chapter 18 of the Talent Municipal Code.

Respectfully Submitted,

A handwritten signature in black ink that reads "Clark Stevens". The signature is written in a cursive style with a large, stylized "C" and "S".

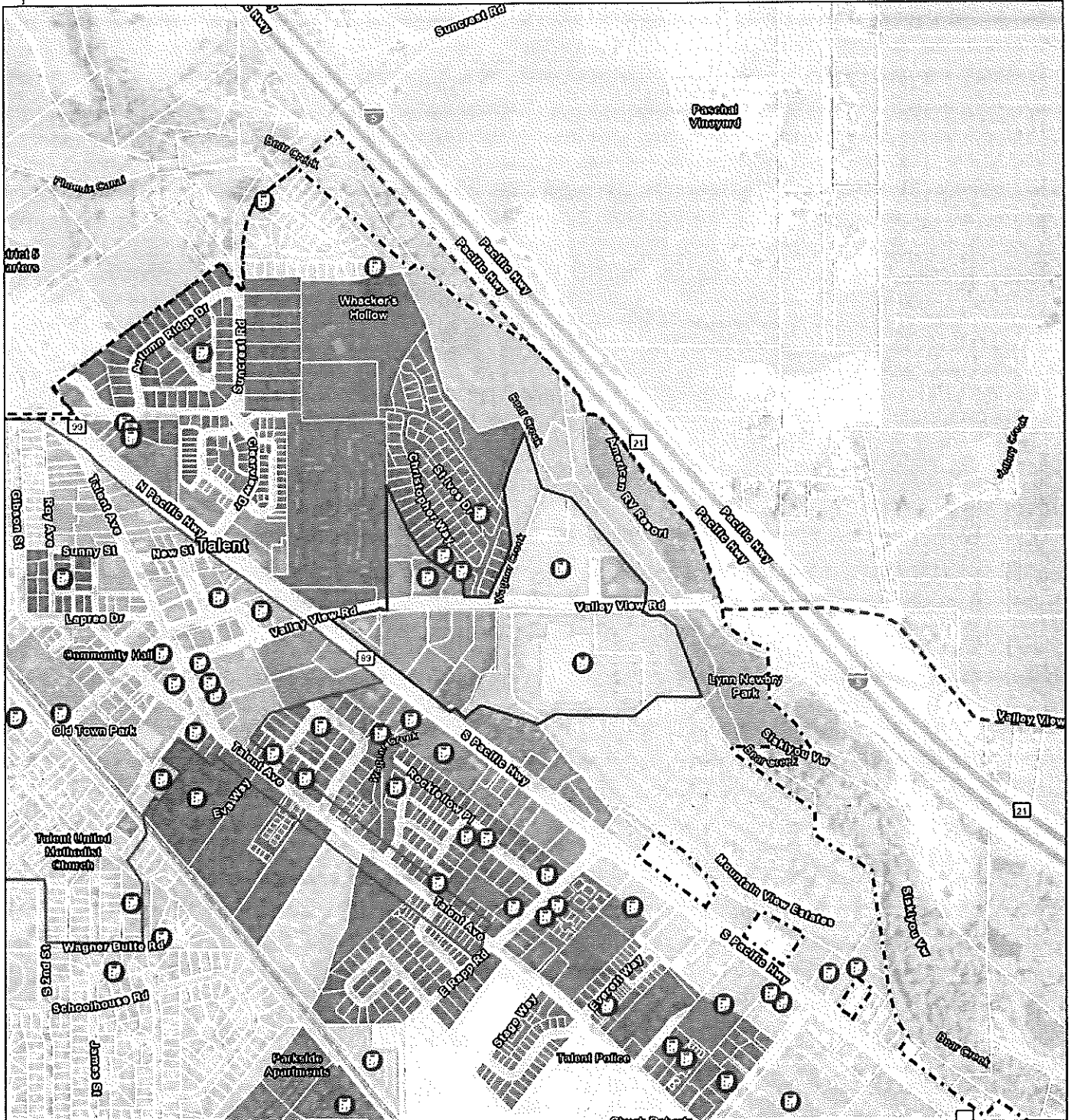
Richard Stevens & Associates, Inc.
Clark Stevens

Flood Plain Overlay



Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Implementation Team

Community Development Map

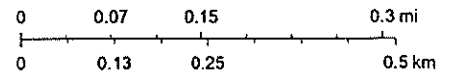


11/14/2021, 10:19:29 AM

- Pending Land Use Actions
- City Limit (2007-836-O)
- Urban Growth Boundary (1978-365-O)
- Overlay - Drive-up
- Overlay - Historic Sites, Buildings and District
- Tax Lot (Jackson County)
- Zoning (Effective 06/05/2020)
- Commercial Zone - Central Business District

- Commercial Zone - Highway Central Business District
- Commercial Zone - Highway Commercial
- Commercial Zone - Interchange
- Commercial Zone - Neighborhood
- Industrial Zone - Light
- Residential Zone - Multiple-Family - High Density
- Residential Zone - Single-Family - Medium Density
- Residential Zone - Manufactured Home

1:9,028



Esri Community Maps Contributors, County of Jackson, OR, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METNUSA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau,

CHANGED LOCATION OF
 ANY CORNER OF THE NO. 23
 18296

WILLOW SPRINGS ESTATES

LOCATED IN:
 THE N.E. 1/4 OF SECTION 23, T.38S., R.1W., W.M.
 CITY OF TALENT, JACKSON COUNTY, OREGON

HOFFBUR & ASSOCIATES, INC.
 3155 ALAMEDA STREET, SUITE 201, KEESPORT, OREGON
 (503) 772-4241

SCALE: 1" = 60' (S/N 12890, S. LINE OF D.C. NO. 59)
 BASIS OF BEING 60 FEET

DATE: MARCH 10, 2004

SET 5/8" x 3/4" REBAR WITH PLASTIC CAP STAMPED
 HOFFBUR AND ASSOC., INC.

SET 5/8" x 3/4" REBAR WITH PLASTIC CAP STAMPED
 HOFFBUR AND ASSOC., INC.

FOUND 5/8" IRON PIN WITH PLASTIC CAP STAMPED
 "L.F. HARRIS & ASSOC." PER S/N 14479

FOUND BRASS DISC FLUSH IN CONCRETE STAMPED
 "L.F. HARRIS & ASSOCIATES" PER S/N 6885 & S/N 13516
 "S 23-49" IN LOCATION SHOWN PER S/N 14794

FOUND BRASS DISC FLUSH IN CONCRETE STAMPED
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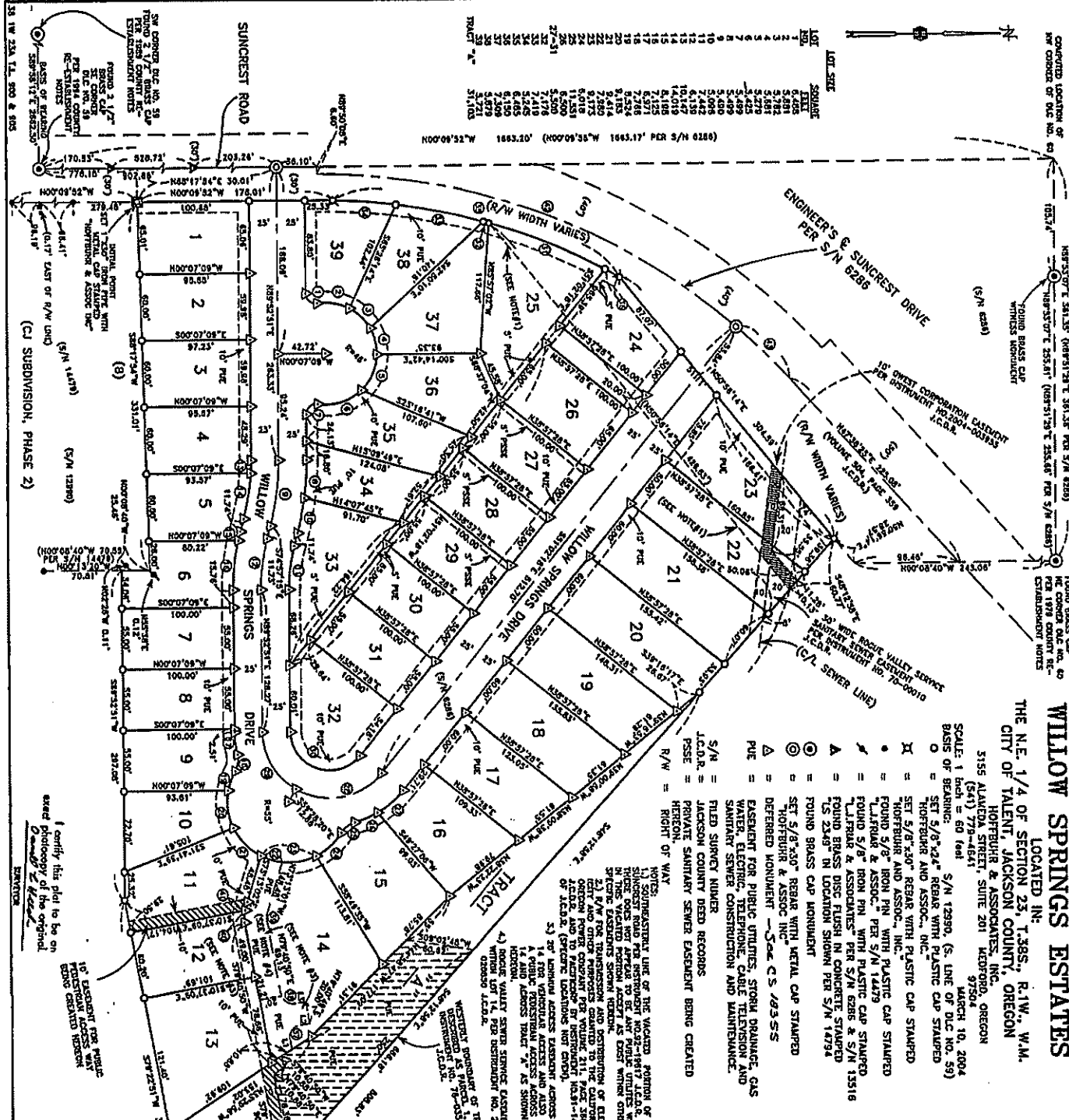
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ALL DEFERRED MONUMENTS WILL BE SET NO LATER THAN
 DECEMBER 31, 2004.
 APPROVED: *David C. Hilde*
 SURVEYOR

ALL DEFERRED MONUMENTS ARE NOW SET, SEE DOCUMENT
 NO. *04-433200* OFFICIAL RECORDS THIS DAY OF
March 2004 *CS 18355*
 APPROVED: *David C. Hilde*
 SURVEYOR

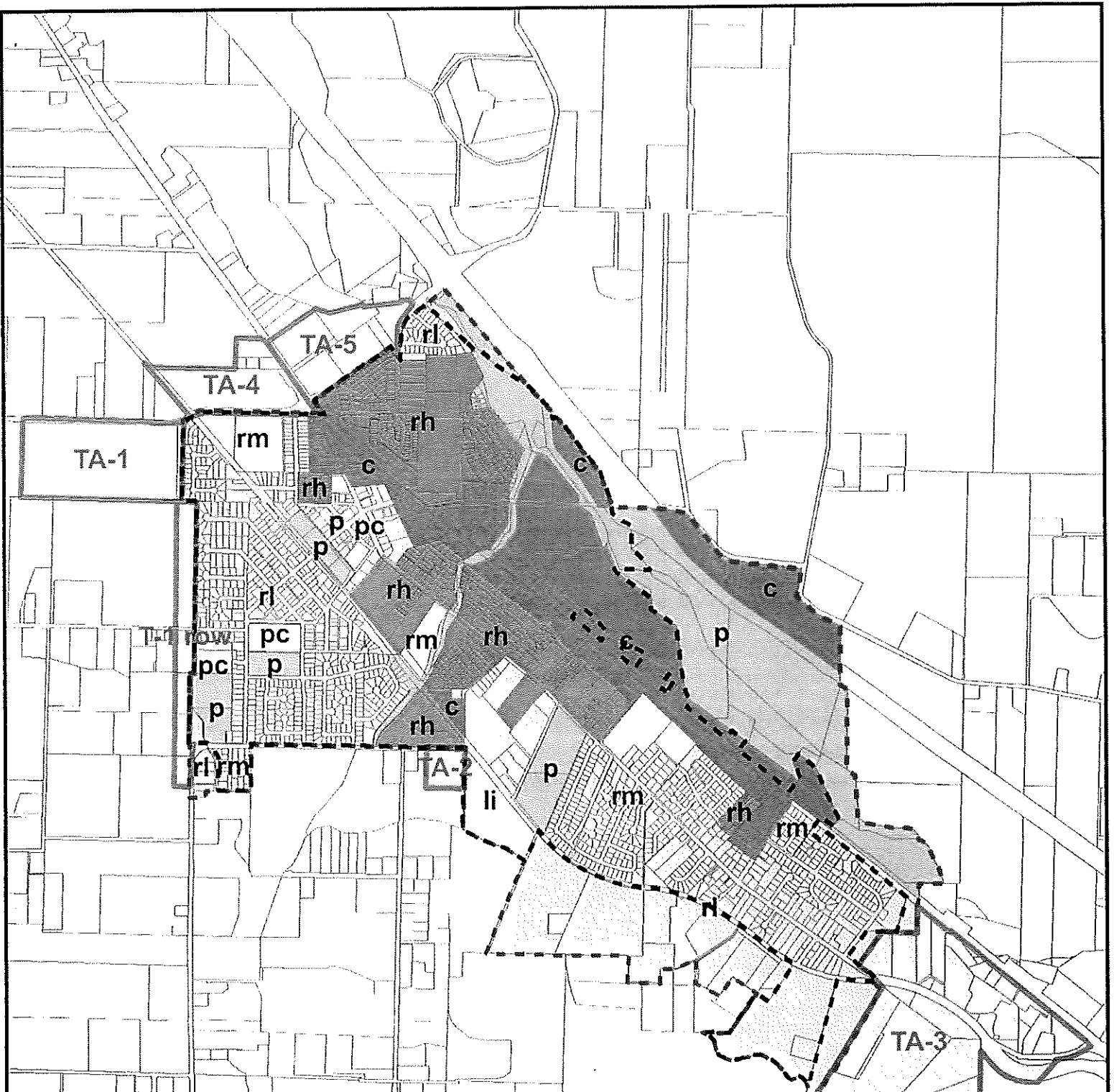
CHISEL	DIAMETER	LENGTH	CHISEL	CHISEL	CHISEL
1	3.00	13.57	13.70	142.01	1.1
2	3.00	29.57	29.10	142.01	1.1
3	3.00	44.00	44.00	142.01	1.1
4	3.00	44.00	44.00	142.01	1.1
5	3.00	44.00	44.00	142.01	1.1
6	3.00	44.00	44.00	142.01	1.1
7	3.00	44.00	44.00	142.01	1.1
8	3.00	44.00	44.00	142.01	1.1
9	3.00	44.00	44.00	142.01	1.1
10	3.00	44.00	44.00	142.01	1.1
11	3.00	44.00	44.00	142.01	1.1
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44	3.00	44.00	44.00	142.01	1.1
45	3.00	44.00	44.00	142.01	1.1



REGISTERED PROFESSIONAL LAND SURVEYOR
 DAVID C. HILDE
 OREGON
 18296

RECEIVED
 THE CITY CLERK OF
 JACKSON COUNTY
 OREGON
 18296

DATE: MARCH 10, 2004
 SHEET 2 OF 2

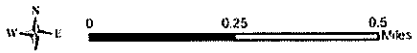


Comprehensive Plan

ADOPTED: 06/24/1980 by ORD 417
 AMENDED: 05/03/2017 by ORD 17-933-O
 EFFECTIVE: 06/02/2017

- | | |
|--------------------------------------|---------------------------------------|
| Urban Reserves (Future Growth Areas) | Comprehensive Plan Designation |
| Urban Growth Boundary | Commercial (c) |
| City Limits | Light Industrial (li) |
| Tax Lot | Parks (p) |
| | Public Facilities - Civic (pc) |
| | Residential High Density (rh) |
| | Residential Low Density (rl) |
| | Residential Manufactured Home (rm) |

Mapping is schematic only and bears no warranty of accuracy. This product was created for informational purposes and may not have been prepared for or be suitable for legal, engineering, surveying, or similar investment purposes. All zoning information should be confirmed by the City prior to use for such purposes.



Clark Stevens

From: Karic Roberge <karicroberge@gmail.com>
Sent: Thursday, August 26, 2021 4:08 PM
To: Clark
Subject: 232 Willow Springs
Attachments: site plan 35 ft setback Model (1).pdf

Hi Clark,

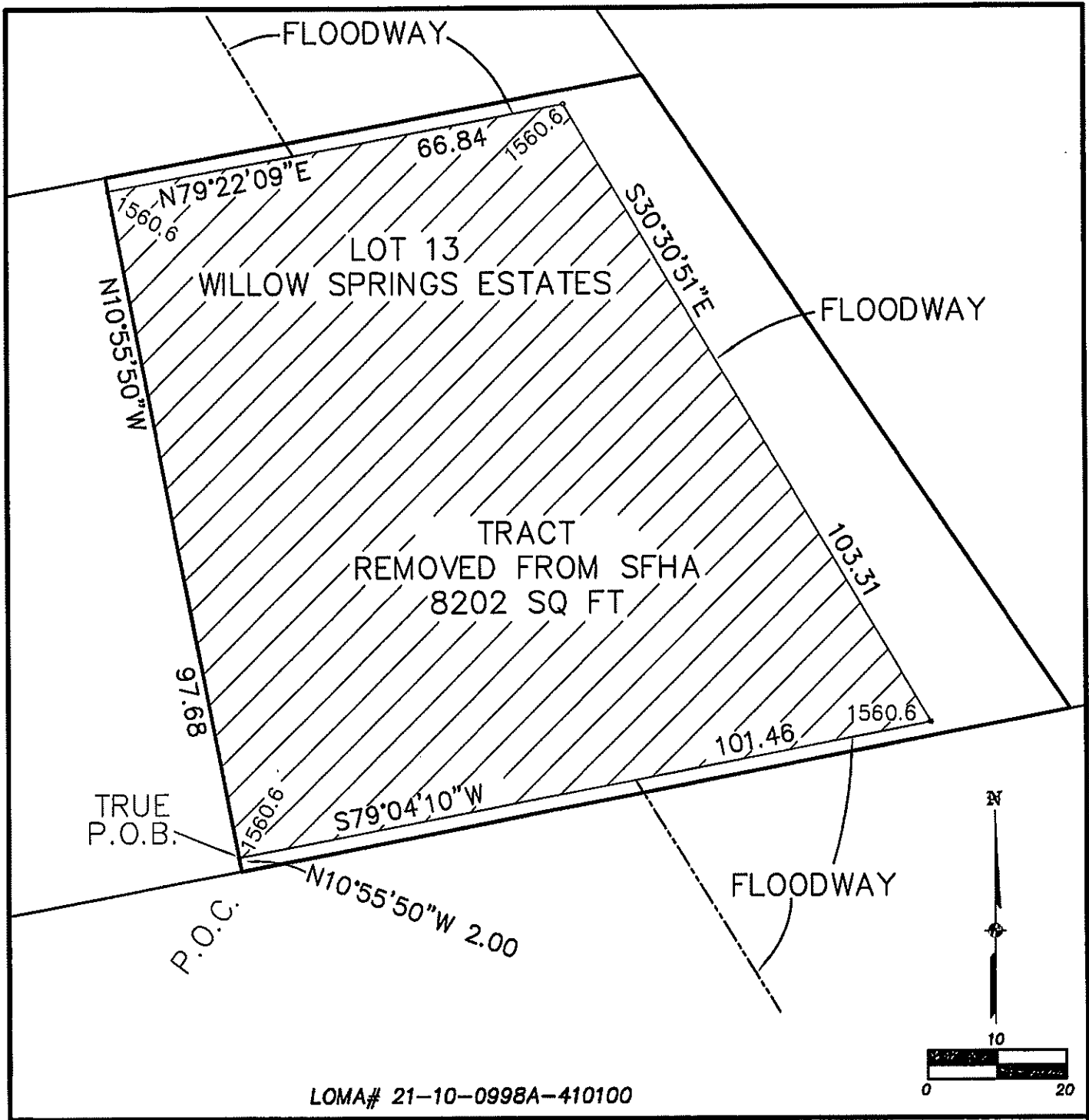
See attached. In green was the previous house footprint. It shows an encroachment of 17' into the floodway. In red is the new 35' setback to the new floodway line. The new proposed single story house encroaches 25' into it.

Is it what you needed?


Let me know, thanks.

Karic Roberge
541-261-3778

Account Sequence	Map TL Sequence	Assessment Year 2022 v	Print Window Close Window																															
Assessment Info for Account 1-097860-2 Map 381W23AC Taxlot 1300 Report For Assessment Purposes Only Created November 15, 2021																																		
Account Info		Tax Year 2021 Info	Land Info																															
Account	1-097860-2	Pay Taxes Online	Tax Code	22-01																														
Map	381W23AC 1300		Acresage	0.23																														
Taxlot			Zoning																															
Owner	MUELLER THOMAS J MUELLER JUDITH L		Land Class																															
Situs Address	232 WILLOW SPRINGS DR TALENT B	Tax Report	RT 0.05 Ac HS 0.18 Ac																															
Mailing Address	MUELLER THOMAS J/JUDITH L 2442 SISKIYOU BLVD MEDFORD OR, 975048121	Tax Statement	Property Class Stat Class																															
Appraiser	162	Tax History	Unit ID Maintenance Area																															
		Tax Details	Neighborhood Study Area																															
		Tax Rates	Account Status Tax Status Sub Type																															
Sales Data (ORCATS)																																		
Last Sale (consideration > 0)			Sale Date	Instrument Number																														
\$ 330,500			Oct 24, 2016	2016-38712																														
Sales History																																		
+ Value Summary Detail (For Assessment Year 2022 - Subject To Change)																																		
- Market Value Summary (For Assessment Year 2022 - Subject To Change)																																		
Code Area	Type	Acresage	RMV	M5	MAV	AV																												
22-01	LAND	0.23	\$ 113,530	\$ 113,530	\$ 57,100	\$ 57,100																												
Value History Details		Total:	\$ 113,530	\$ 113,530	\$ 57,100	\$ 57,100																												
Photos and Scanned Documents																																		
SCANNED ASSESSOR DOCUMENTS			(See new portal)	(See new portal)	Portal																													
- Appraisal Maintenance																																		
2008 - VALID RESIDENTIAL R.T. (A-SINGLE FAMILY DWELLING)																																		
2020 - RESIDENTIAL R.T. (X-% COMP/MINOR CHGS/LNDSOP)																																		
- Account Comments																																		
07/01/2004 VALUED AS NEW SUB LOT #71>>> 8-3-05 CORRECTED THE 2004 TREND TABLES THAT WERE INCORRECT FOR THE PERIOD 2-06 THROUGH 8-05 #23 >>> LAND BALANCED FOR 04, CPR'D PREV MAV WAS REMOVED AND LAND TABLED FOR 2005 >>> 03/23/06 CHANGED BS TO HS AND ADDED LS AND LOCATION ADJ DUE TO I-S INFLUENCE #147>>> 04/17/20 NLC. #162 >>>02/10/2021 IMPROVEMENT DESTROYED IN SEPTEMBER 2020 WILDFIRES. PRORATION DONE FOR 2020, REMOVAL AND REALLOCATION OF MAV FOR 2021. #104>>>																																		
- Exemptions / Special Assessments / Notations / Potential Liability																																		
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Notations</th> <th>Description</th> <th>Tax Amount</th> <th>Year</th> <th>Added Value</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>RECALCULATION</td> <td></td> <td></td> <td>2016</td> <td></td> <td></td> </tr> <tr> <td>READ BEFORE DATA ENTRING EXCEPTION</td> <td></td> <td></td> <td>2006</td> <td></td> <td></td> </tr> <tr> <td>BALANCED VALUE</td> <td></td> <td></td> <td>2004</td> <td></td> <td></td> </tr> <tr> <td>CARTOGRAPHIC ACTIVITY</td> <td></td> <td></td> <td>2004</td> <td></td> <td></td> </tr> </tbody> </table>					Notations	Description	Tax Amount	Year	Added Value	Amount	RECALCULATION			2016			READ BEFORE DATA ENTRING EXCEPTION			2006			BALANCED VALUE			2004			CARTOGRAPHIC ACTIVITY			2004		
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CARTOGRAPHIC ACTIVITY			2004																															
- Location Map																																		
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County of Jackson, OR, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, L... Powered by Esri																																		
Close Window		Print Window																																



LOMA# 21-10-0998A-410100

<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>James E. Hibbs</i></p> <p>OREGON JULY 17, 1986 JAMES E. HIBBS 2234</p> <p>RENEWAL DATE 6-30-23</p>	<p>TITLE: TRACT REMOVED FROM SFHA</p> <p>ASSESSOR'S MAP #: 381W23AC TL1300</p>	<p>DATE: 13 JULY 2021</p>
	<p>FOR: SUNCREST HOMES, LLC PO BOX 199 TALENT, OR 97540</p>	<p>SCALE: 1 inch : 20 feet</p>
<p></p> <p>L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS PO BOX 1947, PHOENIX, OR. (541) 772-2782 lfriarandassociates@charter.net</p>	<p>DRAWN BY: JEH CHK BY:</p>	<p>ORIGIN:</p>
	<p>ROTATION: 0° JOB#: 20199FM</p>	<p>Sheet 1 of 1.</p>



Federal Emergency Management Agency

Washington, D.C. 20472

June 17, 2021

THE HONORABLE DARBY AYERS-FLOOD
MAYOR, CITY OF TALENT
110 EAST MAIN STREET
TALENT, OR 9754

CASE NO.: 21-10-0998A
COMMUNITY: CITY OF TALENT, JACKSON
COUNTY, OREGON
COMMUNITY NO.: 410100

DEAR MS. AYERS-FLOOD:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Revision (LOMR) Floodway Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMRs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Sincerely,

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMR-FW DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region
Mr. James Hibbs



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision, that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

If a lender releases a property owner from the flood insurance requirement, and the property owner decides to cancel the policy and seek a refund, the NFIP will refund the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy during the current policy year. The property owner must provide a written waiver of the insurance requirement from the lender to the property insurance agent or company servicing his or her policy. The agent or company will then process the refund request.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

The NFIP offers two types of flood insurance policies to property owners: the low-cost Preferred Risk Policy (PRP) and the Standard Flood Insurance Policy (SFIP). The PRP is available for 1- to 4-family residential structures located outside the SFHA with little or no loss history. The PRP is available for townhouse/rowhouse-type structures, but is not available for other types of condominium units. The SFIP is available for all other structures. Additional information on the PRP and how a property owner can qualify for this type of policy may be obtained by calling the Flood Insurance Information Hotline, toll free, at 1-800-427-4661. Before making a final decision about flood insurance coverage, FEMA strongly encourages property owners to discuss their individual flood risk situations and insurance needs with an insurance agent or company.

FEMA has established "Grandfather" rules to benefit flood insurance policyholders who have maintained continuous coverage. Property owners may wish to note also that, if they live outside but on the fringe of the SFHA shown on an effective NFIP map and the map is revised to expand the SFHA to include their structure(s), their flood insurance policy rates will not increase as long as the coverage for the affected structure(s) has been continuous. Property owners would continue to receive the lower insurance policy rates.

LOMAs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If a State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to amend an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

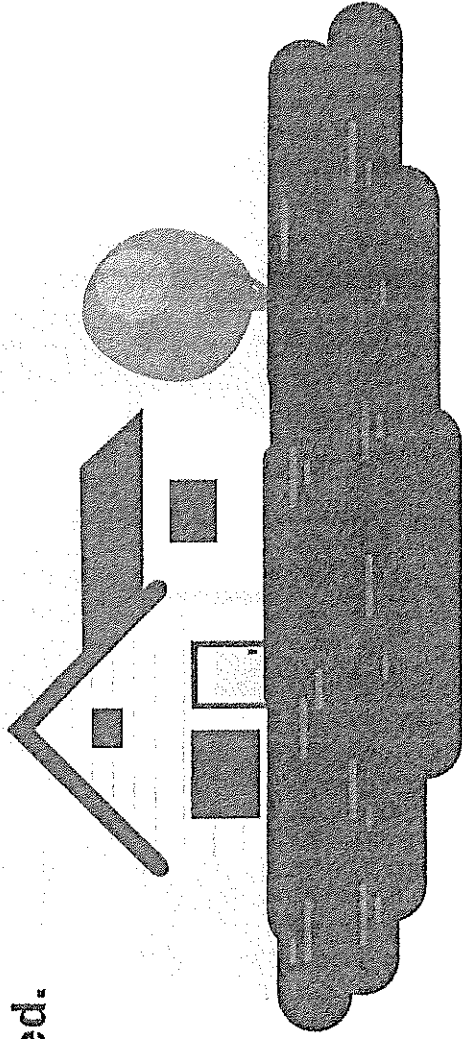
When a restudy is undertaken, or when a sufficient number of revisions or amendments occur on particular map panels, FEMA initiates the printing and distribution process for the affected panels. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. In such cases, FEMA attempts to reflect the results of the LOMA on the new map panel. If the results of particular LOMAs cannot be reflected on the new map panel because of scale limitations, FEMA notifies the community in writing and revalidates the LOMAs in that letter. LOMAs revalidated in this way usually will become effective 1 day after the effective date of the revised map.

Your property has been reclassified as moderate-to-low flood risk. Your flood risk has been reduced but not removed.

You may now qualify for a Preferred Risk Flood Insurance Policy with annual rates starting as low as \$325. Keep your home—and everything inside of it—covered for less money. Contact your insurance agent to secure a lower-cost policy today.

Protect the life you've built.

Call **800-427-4661** or visit
www.FloodSmart.gov



FEMA



Flooding 101: Did you know?

- Flooding is the most common and costly disaster in the United States. Just 1 inch of flood water can cause \$25,000 of damage to your home.
- People outside of high-risk flood areas file more than 20% of NFIP claims and receive one-third of disaster assistance for flooding.
- Most homeowners and renters insurance doesn't cover flood damage. Only flood insurance provides financial protection from costly flooding.

Stay covered. Save money. Talk to an agent today.

For more information visit FloodSmart.gov.



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION FLOODWAY DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF TALENT, JACKSON COUNTY, OREGON	A portion of Lot 13, Willow Springs Estates, as shown on the Plat recorded as Document No. 18296, in Volume 30, Page 33, in the Office of the County Clerk, Jackson County, Oregon The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 410100	
AFFECTED MAP PANEL	NUMBER: 41029C1993F	
	DATE: 5/3/2011	
FLOODING SOURCE: BEAR CREEK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 42.260932, -122.782839 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83

DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
13	--	Willow Springs Estates	232 Willow Springs Drive	Portion of Property	X (shaded)	--	--	1560.6 feet

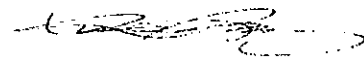
Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION INADVERTENT INCLUSION FLOODWAY 1 PORTIONS REMAIN IN THE SFHA	SUPERSEDES PREVIOUS DETERMINATION STATE LOCAL CONSIDERATIONS
---	---

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the NFIP regulatory floodway or the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the subject property from the NFIP regulatory floodway and the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.


 Luis V. Rodriguez, P.E., Director
 Engineering and Modeling Division
 Federal Insurance and Mitigation Administration



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP REVISION FLOODWAY
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

COMMENCING at the Southwest corner of Lot 13 of WILLOW SPRINGS ESTATES, according to the official plat thereof, now of record, in Volume 30, Page 33 of plats of Jackson County, Oregon; thence along the West line thereof, North 10°55'50" West, 2.00 feet to the true POINT OF BEGINNING; thence continue along said West line, North 10°55'50" West, 97.68 feet; thence along North 79°22'09" East, 66.84 feet; thence South 30°30'51" East, 103.31 feet; thence South 79°04'10" West, 101.46 feet to the POINT OF BEGINNING

INADVERTENT INCLUSION IN THE FLOODWAY 1 (PORTIONS OF THE PROPERTY REMAIN IN THE FLOODWAY) (This Additional Consideration applies to the preceding 1 Property.)

A portion of this property is located within the National Flood Insurance Program (NFIP) regulatory floodway for the flooding source indicated on the Determination Document, while the subject of this determination is not. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation, and any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Therefore, the NFIP regulatory floodway modification described in the Determination Document, while acceptable to the Federal Emergency Management Agency (FEMA), must also be acceptable to the community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/about/regoff.htm>.

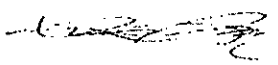
PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

SUPERSEDES OUR PREVIOUS DETERMINATION (This Additional Consideration applies to all properties in the LOMR-FW DETERMINATION DOCUMENT (REMOVAL))

This Determination Document supersedes our previous determination dated 5/19/2021, for the subject property.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.


 Luis V. Rodriguez, P.E., Director
 Engineering and Modeling Division
 Federal Insurance and Mitigation Administration



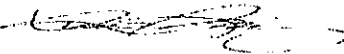
Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP REVISION FLOODWAY
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

STATE AND LOCAL CONSIDERATIONS (This Additional Consideration applies to all properties in the LOMR-FW DETERMINATION DOCUMENT (REMOVAL))

Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.


Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency
Washington, D.C. 20472

MR. JAMES HIBBS
L.J. FRIAR & ASSOCIATES PC
PO BOX 1947
PHOENIX, OR 97535

CASE NO.: 21-10-0480A
COMMUNITY: CITY OF TALENT, JACKSON
COUNTY, OREGON
COMMUNITY NO.: 410100

DEAR MR. HIBBS:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415.

Sincerely,

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF TALENT, JACKSON COUNTY, OREGON	Lot 12, Willow Springs Estates, as described in the Statutory Warranty Deed recorded as Document No. 2016-016146, in the Office of the Clerk, Jackson County, Oregon
	COMMUNITY NO: 410100	
AFFECTED MAP PANEL	NUMBER: 41029C1993F DATE: 5/3/2011	
FLOODING SOURCE: BEAR CREEK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 42.250911, -122.783106 SOURCE OF LAT & LONG: GOOGLE EARTH DATUM: NAD 83

DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
12	--	Willow Springs Estates	226 Willow Springs Drive	Structure	X (shaded)	--	1561.1 feet	--

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

PORTIONS REMAIN IN THE SFHA/FLOODWAY
eLOMA DETERMINATION

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. If there are any errors on this eLOMA Determination Letter that cause FEMA to rescind and/or nullify the determination the property owner should consult the Licensed Professional that submitted this eLOMA. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, 3601 Eisenhower Avenue, Alexandria, VA 22304-4605, Fax: 703-751-7415.

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

Structure Removal:

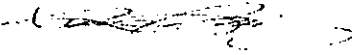
The following considerations may or may not apply to the determination for your Structure:

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA and/or FLOODWAY - Portions of this property, but not the subject of the Determination document, may remain in the Special Flood Hazard Area (SFHA) and/or the regulatory floodway for the flooding source indicated on the Determination Document. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Modifications to the NFIP regulatory floodway must be accepted by both the Federal Emergency Management Agency (FEMA) and the community involved. Appropriate community actions are defined in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <https://www.fema.gov/regional-contact-information>

STUDY UNDERWAY - This determination is based on the flood data presently available. However, the Federal Emergency Management Agency may be currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. If a new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

EXTRATERRITORIAL JURISDICTION - The subject of the determination is shown on the National Flood Insurance Program map and may be located in an Extraterritorial Jurisdiction area for the community indicated on the Determination Document.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415


Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

GREAT LAKES - The Federal Emergency Management Agency (FEMA) has based this determination on elevation data which is published in the current Flood Insurance Study for the community. However, the elevations established in the U.S. Army Corps of Engineers (USACE) reports on the Great Lakes are the best available data known to us. If in the future there are any subsequent map revisions to the National Flood Insurance Program map and the USACE reports remain the best available data known, FEMA will use those elevations for any such revisions. Further, be advised that the elevations on the Flood Insurance Rate Map (FIRM) may only reflect the Stillwater elevation for the lake and may not account for the effects of wind driven waves or wave run-up. On-site conditions such as wind speed, wind direction, fetch distance, water depth and the slope of the beach or bluff may result in significant increases to the base flood elevation. Therefore, it is strongly recommended that the requestor be aware of these circumstances and, if warranted, evaluate the effects of wind driven waves along the shoreline of the property.

STATE AND LOCAL CONSIDERATIONS - Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

COASTAL BARRIER RESOURCE SYSTEM - Based upon information provided to FEMA by the U.S. Fish and Wildlife Service (USFWS), the subject property may be within a System Unit or an Otherwise Protected Area (OPA) of the John H. Chafee Coastal Barrier Resource System (CBRS). Federal flood insurance is generally not available within the CBRS for new construction or substantial improvements occurring after the flood insurance prohibition date (which is generally tied to the date that the area was first established as either a System Unit or OPA, but may differ in some cases). Other federal expenditures and financial assistance (including certain types of disaster assistance) are also restricted within System Units of the CBRS. The USFWS is the authoritative source for information regarding the CBRS. Additional information, including the CBRS Mapper, can be found on the USFWS website at: <https://www.fws.gov/cbra>.

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Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

If a lender releases a property owner from the flood insurance requirement, and the property owner decides to cancel the policy and seek a refund, the NFIP will refund the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy during the current policy year. The property owner must provide a written waiver of the insurance requirement from the lender to the property insurance agent or company servicing his or her policy. The agent or company will then process the refund request.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

The NFIP offers two types of flood insurance policies to property owners: the low-cost Preferred Risk Policy (PRP) and the Standard Flood Insurance Policy (SFIP). The PRP is available for 1- to 4-family residential structures located outside the SFHA with little or no loss history. The PRP is available for townhouse/rowhouse-type structures, but is not available for other types of condominium units. The SFIP is available for all other structures. Additional information on the PRP and how a property owner can qualify for this type of policy may be obtained by calling the Flood Insurance Information Hotline, toll free, at 1-800-427-4661. Before making a final decision about flood insurance coverage, FEMA strongly encourages property owners to discuss their individual flood risk situations and insurance needs with an insurance agent or company.

FEMA has established "Grandfather" rules to benefit flood insurance policyholders who have maintained continuous coverage. Property owners may wish to note also that, if they live outside but on the fringe of the SFHA shown on an effective NFIP map and the map is revised to expand the SFHA to include their structure(s), their flood insurance policy rates will not increase as long as the coverage for the affected structure(s) has been continuous. Property owners would continue to receive the lower insurance policy rates.

LOMAs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If a State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to amend an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

When a restudy is undertaken, or when a sufficient number of revisions or amendments occur on particular map panels, FEMA initiates the printing and distribution process for the affected panels. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. In such cases, FEMA attempts to reflect the results of the LOMA on the new map panel. If the results of particular LOMAs cannot be reflected on the new map panel because of scale limitations, FEMA notifies the community in writing and revalidates the LOMAs in that letter. LOMAs revalidated in this way usually will become effective 1 day after the effective date of the revised map.



Federal Emergency Management Agency
Washington, D.C. 20472

MR. JAMES HIBBS
L.J. FRIAR & ASSOCIATES PC
PO BOX 1947
PHOENIX, OR 97535

CASE NO.: 21-10-0501A
COMMUNITY: CITY OF TALENT, JACKSON
COUNTY, OREGON
COMMUNITY NO.: 410100

DEAR MR. HIBBS:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415.

Sincerely,

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF TALENT, JACKSON COUNTY, OREGON	Lot 24, Willow Springs Estates, as described in the Statutory Special Warranty Deed recorded as Document No. 2008-024923, in the Office of the County Clerk, Jackson County, Oregon
	COMMUNITY NO: 410100	
AFFECTED MAP PANEL	NUMBER: 41029C1993F	
	DATE: 5/3/2011	
FLOODING SOURCE: BEAR CREEK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 42.251991, -122.785124 SOURCE OF LAT & LONG: GOOGLE EARTH DATUM: NAD 83

DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
24	--	Willow Springs Estates	369 Willow Springs Drive	Structure	X (shaded)	--	1561.3 feet	--

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

PORTIONS REMAIN IN THE SFHA/FLOODWAY
eLOMA DETERMINATION

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. If there are any errors on this eLOMA Determination Letter that cause FEMA to rescind and/or nullify the determination the property owner should consult the Licensed Professional that submitted this eLOMA. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, 3601 Eisenhower Avenue, Alexandria, VA 22304-4605, Fax: 703-751-7415.

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL) ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

Structure Removal:

The following considerations may or may not apply to the determination for your Structure:

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA and/or FLOODWAY - Portions of this property, but not the subject of the Determination document, may remain in the Special Flood Hazard Area (SFHA) and/or the regulatory floodway for the flooding source indicated on the Determination Document. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Modifications to the NFIP regulatory floodway must be accepted by both the Federal Emergency Management Agency (FEMA) and the community involved. Appropriate community actions are defined in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <https://www.fema.gov/regional-contact-information>

STUDY UNDERWAY - This determination is based on the flood data presently available. However, the Federal Emergency Management Agency may be currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. If a new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

EXTRATERRITORIAL JURISDICTION - The subject of the determination is shown on the National Flood Insurance Program map and may be located in an Extraterritorial Jurisdiction area for the community indicated on the Determination Document.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)**

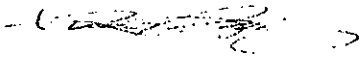
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

GREAT LAKES - The Federal Emergency Management Agency (FEMA) has based this determination on elevation data which is published in the current Flood Insurance Study for the community. However, the elevations established in the U.S. Army Corps of Engineers (USACE) reports on the Great Lakes are the best available data known to us. If in the future there are any subsequent map revisions to the National Flood Insurance Program map and the USACE reports remain the best available data known, FEMA will use those elevations for any such revisions. Further, be advised that the elevations on the Flood Insurance Rate Map (FIRM) may only reflect the Stillwater elevation for the lake and may not account for the effects of wind driven waves or wave run-up. On-site conditions such as wind speed, wind direction, fetch distance, water depth and the slope of the beach or bluff may result in significant increases to the base flood elevation. Therefore, it is strongly recommended that the requestor be aware of these circumstances and, if warranted, evaluate the effects of wind driven waves along the shoreline of the property.

STATE AND LOCAL CONSIDERATIONS - Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

COASTAL BARRIER RESOURCE SYSTEM - Based upon information provided to FEMA by the U.S. Fish and Wildlife Service (USFWS), the subject property may be within a System Unit or an Otherwise Protected Area (OPA) of the John H. Chafee Coastal Barrier Resource System (CBRS). Federal flood insurance is generally not available within the CBRS for new construction or substantial improvements occurring after the flood insurance prohibition date (which is generally tied to the date that the area was first established as either a System Unit or OPA, but may differ in some cases). Other federal expenditures and financial assistance (including certain types of disaster assistance) are also restricted within System Units of the CBRS. The USFWS is the authoritative source for information regarding the CBRS. Additional information, including the CBRS Mapper, can be found on the USFWS website at: <https://www.fws.gov/cbra>.

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Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

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The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

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Federal Emergency Management Agency
Washington, D.C. 20472

MR. JAMES HIBBS
L.J. FRIAR & ASSOCIATES PC
PO BOX 1947
PHOENIX, OR 97535-1947

CASE NO.: 21-10-0851A
COMMUNITY: CITY OF TALENT, JACKSON
COUNTY, OREGON
COMMUNITY NO.: 410100

DEAR MR. HIBBS:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415.

Sincerely,

A handwritten signature in black ink, appearing to read "Luis V. Rodriguez".

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF TALENT, JACKSON COUNTY, OREGON	Lot 21, Willow Springs Estates, as shown on the Plat recorded as Document No. 18296 in Volume 30, Page 33, in the Office of the Clerk, Jackson County, Oregon
	COMMUNITY NO: 410100	
AFFECTED MAP PANEL	NUMBER: 41029C1993F	
	DATE: 5/3/2011	
FLOODING SOURCE: BEAR CREEK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 42.252075, -122.784369 SOURCE OF LAT & LONG: GOOGLE EARTH DATUM: NAD 83

DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
21	--	Willow Springs Estates	328 Willow Springs Drive	Structure	X (shaded)	--	1559.5 feet	--

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

PORTIONS REMAIN IN THE SFHA/FLOODWAY
eLOMA DETERMINATION

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. If there are any errors on this eLOMA Determination Letter that cause FEMA to rescind and/or nullify the determination the property owner should consult the Licensed Professional that submitted this eLOMA. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, 3601 Eisenhower Avenue, Alexandria, VA 22304-4605, Fax: 703-751-7415.

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL) ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

Structure Removal:

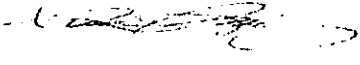
The following considerations may or may not apply to the determination for your Structure:

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA and/or FLOODWAY - Portions of this property, but not the subject of the Determination document, may remain in the Special Flood Hazard Area (SFHA) and/or the regulatory floodway for the flooding source indicated on the Determination Document. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Modifications to the NFIP regulatory floodway must be accepted by both the Federal Emergency Management Agency (FEMA) and the community involved. Appropriate community actions are defined in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <https://www.fema.gov/regional-contact-information>

STUDY UNDERWAY - This determination is based on the flood data presently available. However, the Federal Emergency Management Agency may be currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. If a new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

EXTRATERRITORIAL JURISDICTION - The subject of the determination is shown on the National Flood Insurance Program map and may be located in an Extraterritorial Jurisdiction area for the community indicated on the Determination Document.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415


Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL) ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

GREAT LAKES - The Federal Emergency Management Agency (FEMA) has based this determination on elevation data which is published in the current Flood Insurance Study for the community. However, the elevations established in the U.S. Army Corps of Engineers (USACE) reports on the Great Lakes are the best available data known to us. If in the future there are any subsequent map revisions to the National Flood Insurance Program map and the USACE reports remain the best available data known, FEMA will use those elevations for any such revisions. Further, be advised that the elevations on the Flood Insurance Rate Map (FIRM) may only reflect the Stillwater elevation for the lake and may not account for the effects of wind driven waves or wave run-up. On-site conditions such as wind speed, wind direction, fetch distance, water depth and the slope of the beach or bluff may result in significant increases to the base flood elevation. Therefore, it is strongly recommended that the requestor be aware of these circumstances and, if warranted, evaluate the effects of wind driven waves along the shoreline of the property.

STATE AND LOCAL CONSIDERATIONS - Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

COASTAL BARRIER RESOURCE SYSTEM - Based upon information provided to FEMA by the U.S. Fish and Wildlife Service (USFWS), the subject property may be within a System Unit or an Otherwise Protected Area (OPA) of the John H. Chafee Coastal Barrier Resource System (CBRS). Federal flood insurance is generally not available within the CBRS for new construction or substantial improvements occurring after the flood insurance prohibition date (which is generally tied to the date that the area was first established as either a System Unit or OPA, but may differ in some cases). Other federal expenditures and financial assistance (including certain types of disaster assistance) are also restricted within System Units of the CBRS. The USFWS is the authoritative source for information regarding the CBRS. Additional information, including the CBRS Mapper, can be found on the USFWS website at: <https://www.fws.gov/cbra>.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 338-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415

A handwritten signature in black ink, appearing to read "Luis V. Rodriguez".

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

If a lender releases a property owner from the flood insurance requirement, and the property owner decides to cancel the policy and seek a refund, the NFIP will refund the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy during the current policy year. The property owner must provide a written waiver of the insurance requirement from the lender to the property insurance agent or company servicing his or her policy. The agent or company will then process the refund request.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

The NFIP offers two types of flood insurance policies to property owners: the low-cost Preferred Risk Policy (PRP) and the Standard Flood Insurance Policy (SFIP). The PRP is available for 1- to 4-family residential structures located outside the SFHA with little or no loss history. The PRP is available for townhouse/rowhouse-type structures, but is not available for other types of condominium units. The SFIP is available for all other structures. Additional information on the PRP and how a property owner can qualify for this type of policy may be obtained by calling the Flood Insurance Information Hotline, toll free, at 1-800-427-4661. Before making a final decision about flood insurance coverage, FEMA strongly encourages property owners to discuss their individual flood risk situations and insurance needs with an insurance agent or company.

FEMA has established "Grandfather" rules to benefit flood insurance policyholders who have maintained continuous coverage. Property owners may wish to note also that, if they live outside but on the fringe of the SFHA shown on an effective NFIP map and the map is revised to expand the SFHA to include their structure(s), their flood insurance policy rates will not increase as long as the coverage for the affected structure(s) has been continuous. Property owners would continue to receive the lower insurance policy rates.

LOMAs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If a State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to amend an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

When a restudy is undertaken, or when a sufficient number of revisions or amendments occur on particular map panels, FEMA initiates the printing and distribution process for the affected panels. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. In such cases, FEMA attempts to reflect the results of the LOMA on the new map panel. If the results of particular LOMAs cannot be reflected on the new map panel because of scale limitations, FEMA notifies the community in writing and revalidates the LOMAs in that letter. LOMAs revalidated in this way usually will become effective 1 day after the effective date of the revised map.