

Central Permitting

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SUBSTANTIAL IMPROVEMENT/DAMAGE NOTICE TO PROPERTY OWNERS

**Repairing your home or business after Hurricane Matthew? Adding to, renovating, or remodeling your home or business?
Here's what YOU need to know about the 50% Rule.**

If the lowest floor of your home or business is below the 100-year base flood elevation (BFE) or the required one-foot freeboard elevation established by Flagler County, there are County floodplain management requirements that may affect how you restore, renovate, or remodel the building. These regulations are required by the National Flood Insurance Program (NFIP) to protect life and property from future flood damage. Flagler County has adopted these regulations in order for Federally-backed flood insurance to be made available to homes and businesses within the unincorporated area of Flagler County.

Save yourself time and money. Please read the following information first before starting any repair, restoration, addition, renovation, or remodeling:

SUBSTANTIALLY DAMAGED BUILDING means a building that has incurred damage of any origin whereby the cost of restoring the building to its before damaged condition would equal or exceed 50% of the market value of the building before the damage occurred.

SUBSTANTIALLY IMPROVED BUILDING means a building that has undergone reconstruction, rehabilitation, addition, or other improvement, the cost of which equals or exceeds 50% of the market value of the building before the "start of construction" of the improvement. This term does not include a building that has undergone reconstruction, rehabilitation, addition, or other improvement related to:

1. Any project or improvement of a building to correct existing violations of a state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic building", provided that the alteration will not preclude the structure's continued designation as a "historic building".

If a building is substantially damaged or substantially improved, it must be brought into compliance with the County's flood damage prevention regulations, including elevating the building a minimum of one-foot above the 100-year base flood elevation or, for non-residential buildings, allowing flood-proofing instead of elevating the lowest floor.

Following National Flood Insurance Program requirements, we have the responsibility to determine substantial damage and substantial improvement, using the following procedures:

1. Flagler County estimates Market Value by using the assessed value of your building (the Property Appraiser's "Building Value," excluding any land value), plus about 15% to 20%. If you disagree with this estimate of Market Value, you may hire a state licensed property appraiser and submit a comparable appraisal for the depreciated value of the building.
2. You must obtain and submit to Central Permitting a building permit application including a detailed and complete cost estimate for the addition, remodeling, reconstruction or for the repair of all damages to your building, prepared and signed by a licensed contractor. Your contractor must sign an affidavit indicating that the cost estimate submitted includes **all damage and all improvements** to your building, not just structural damage and improvements.

Flagler County will evaluate the cost of repairs or improvements and determine if they are fair and reasonable. For repairs, **pre-storm prices and rates will be utilized**. The cost of repairs or improvements does not include items not considered a permanent part of the building (i.e., plans, surveys, sidewalks, pools, screens, sheds, gazebos, fences, etc.).

Charles Ericksen, Jr.
District 1

Frank Meeker
District 2

Barbara Revels
District 3

Nate McLaughlin
District 4

George Hanns
District 5

3. If your building is determined to have substantial damage or is proposed to be substantially improved, then an Elevation Certificate must be submitted to Central Permitting with your building permit application to determine the lowest floor elevation. Please note that garages and carports are not considered to be the lowest floor.
4. If the lowest floor is below the 100-year base flood elevation, the building must be elevated one-foot above that level. Likewise, all electrical and mechanical equipment (heating and cooling, etc.), bathrooms and laundry rooms must be elevated above the 100-year base flood elevation. Only parking, building access and limited, incidental storage is allowed below the base flood elevation. Non-residential buildings may be flood-proofed instead of being elevated. If the lowest floor, electrical and mechanical equipment, laundry and bathroom are already a minimum of one-foot above the 100-year base flood elevation, the building can be repaired and reconstructed if it meets Florida Building Code requirements.
5. Building plans must be submitted to show how the building is to be elevated above the base flood elevation. If located in the V-zone or VE-zone, Coastal High Hazard Area (CHHA), or if the building is to be flood-proofed, these plans must be prepared and certified by a registered professional engineer or architect. Certificates for this purpose are available from the Central Permitting. Any enclosures in V-zones below the base flood elevation must have breakaway walls certified by a structural engineer.
6. Following a Presidential disaster declaration, the Small Business Administration (SBA) may make loans available for both homes and businesses for purposes of elevating a flood-damaged building above the 100-year base flood elevation. Proof of substantial damage from Flagler County may be required.

ITEMS TO BE INCLUDED FOR DETERMINATION OF SUBSTANTIAL DAMAGE/IMPROVEMENT

All structural elements, including:

Spread or continuous foundation footings and pilings
Monolithic or other types of concrete slabs
Bearing walls, tie beams and trusses
Wood or reinforced concrete decking or roofing
Floors and ceilings
Attached decks and porches
Interior partition walls
Exterior wall finishes (e.g. brick, stucco or siding), including painting and decorative moldings
Windows and doors
Re-shingling or retiling a roof
Hardware

All interior finish elements, including:

Tiling, linoleum, stone or carpet over subflooring
Bathroom tiling and fixtures
Wall finishes (e.g. drywall, painting, stucco, plaster, paneling, marble or other decorative finishes)
Kitchen, utility and bathroom cabinets
Built in bookcases, cabinets and furniture
Hardware

All utility and service equipment, including:

HVAC equipment
Repair or reconstruction of plumbing and electrical services
Light fixtures and ceiling fans
Security systems
Built in kitchen appliances
Central vacuum systems
Water filtration, conditioning or recirculation systems

Also:

Labor and other costs associated with demolishing, removing or altering building components
Overhead and profit