

Substantial Improvement / Substantial Damage Review

To be completed as part of the permit application submittal process for buildings located in special flood hazard areas (SFHA) as identified on FEMA's Flood Insurance Rate Map (FIRM).

The City of Bonita Springs participates in the National Flood Insurance Program (NFIP) which requires substantial damage/substantial improvement reviews (aka the 50% rule). This review applies to all buildings located in the SFHA (flood zones) in accordance with Code of Federal Regulations (CFR) Title 44 Sections 59.1 and 60.3. NFIP regulations regarding the 50% rule in accordance with 44 CFR Sections 59.1 and 60.3. This process is required for property owners continued access to flood insurance, disaster assistance, grants, and federally backed loans.

Property Address: _____

Property Owner's Name: _____

Owner's Phone Number: _____ Email: _____

Contractor's Name: _____ License Number: _____

Contractor's Company Name: _____

Contractor's Phone Number: _____ Email: _____

Building Value / Construction Cost Valuation

- BUILDING VALUE METHOD #1: I am not attaching an appraiser's report and accept the use of the valuation of my building provided by the Lee County Property Appraiser's Office.
- BUILDING VALUE METHOD #2: I am attaching a State Certified Appraiser's report reflecting like-kind replacement cost depreciated for age, wear and tear, neglect and quality of construction for the building exclusively.
- CONSTRUCTION VALUE METHOD #1: I agree to utilize the below square footage construction table to calculate the proposed cost of construction.
- CONSTRUCTION VALUE METHOD #2: I am electing to provide a completed Cost of Improvements Form (see pages 5-6) with supporting documentation to substantiate the proposed construction value.

Construction Cost Valuation (Method #1)

- The following schedule of values will be used to calculate the proposed cost of construction for use in the Substantial Damage/ Substantial Improvement review and is based on the current published International Code Council (ICC) Building Valuation Data.

SFR Addition Living Area	\$ 165.00 Per Square Ft
Attached Garage Addition	\$ 165.00 Per Square Ft
Interior Remodel / Restoration	\$ 85.00 Per Square Ft
Enclose Under Existing Roof	\$ 85.00 Per Square Ft
Open Lanai / Entry Addition	\$ 85.00 Per Square Ft
Enclose Under Structure	\$ 85.00 Per Square Ft
Trussed Carport / Screen Room	\$ 85.00 Per Square Ft

Property Address: _____

Description of proposed work: _____

Method #1 Construction Cost Valuation based square footage (floor plan must be attached):

Room: _____ Size _____ x _____ = _____ sq. ft.
 Room: _____ Size _____ x _____ = _____ sq. ft.
 Room: _____ Size _____ x _____ = _____ sq. ft.
 Room: _____ Size _____ x _____ = _____ sq. ft.
 Room: _____ Size _____ x _____ = _____ sq. ft.
 Room: _____ Size _____ x _____ = _____ sq. ft.
 Room: _____ Size _____ x _____ = _____ sq. ft.

Construction Type	Price per Sq Ft	Total Square Feet	Construction Value
SFR Addition Living Area	\$ 165.00		
Attached Garage Addition	\$ 165.00		
Interior Remodel / Restoration	\$ 85.00		
Enclose Under Existing Roof	\$ 85.00		
Open Lanai / Entry Addition	\$ 85.00		
Enclose Under Structure	\$ 85.00		
Trussed Carport/Screen Room	\$ 85.00		

Total Construction Value: _____

Prepared by: Contractor Owner (acting as contractor)

Printed Name: _____ Signature: _____

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization , this (day) _____ of (month) _____, (year) _____,

By (name of person making statement) _____.

Signature of Notary Public _____

Name of Notary Typed, Printed or Stamped _____

Personally Known OR Produced Identification Type of Identification: _____

Method #2 Construction Cost Valuation	Contractor Estimates	or	Material Quotes and Hourly Labor			
			Material Costs	Hours of Labor	Hourly Rate	Total Labor
Structural Elements and Exterior Finishes						
Foundations: footers, pilings, columns, posts, etc.						
Slab and concrete repairs						
Bearing walls, tie beams, trusses						
Break away walls						
Stairs and guardrails						
Subflooring						
Joists and beams						
Exterior Wall Framing						
Stucco, paint, siding and trim						
Exterior doors and windows						
Garage Doors/Openers						
Gutters and downspouts						
Attached decks and porches						
Shutters						
Roof, soffit and skylights						
Interior Finishes						
Interior wall framing						
Insulation						
Wall finishes: stucco, paneling, backsplashes, etc.						
Drywall and Painting						
Painting						
Cabinets and vanities						
Counter tops						
Interior doors						
Interior finish carpentry: trim, base boards, molding						
Built-in cabinets, bookcases, shelving, etc.						
Hardware: cabinet pulls, hinges, door knobs, etc.						
Flooring						
Tubs, showers and enclosures						

Utilities, Service Equipment and Built-in Appliances						
HVAC equipment and duct work						
Plumbing fixtures and piping						
Electrical panel, wiring outlets, switches, etc.						
Light fixtures and ceiling fans						
Built-in appliances						
Water filtration, conditioning and recirculation systems						
PV solar systems						
Fire suppression systems						
Miscellaneous						
Demolition (Required)						
Elevator						
Fireplace						
Other:						
Overhead and Profit (Required/Min. 10% for owner builder permits)						
Subtotals						

Total Estimated Cost _____

Cost backup must be provided for every line item entry. Supporting document examples: receipts, quotes, material estimates/quotes, bids, subcontractor bids, etc.

Labor cost must be estimated for all work, including owner performed/donated labor.

Labor wages must meet the current minimum local construction wage scale per [US Bureau of Labor Statistics](#).

Prepared by: Contractor Owner (acting as contractor)

Printed Name: _____ Signature: _____

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COUNTY OF _____

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Property Owner's Substantial Damage/Substantial Improvement Affidavit **(required)**

Owner MUST fill complete this page, check or initial at each section below and have the form notarized.

Property Address: _____

Property Owner's Name: _____

Owner's Phone Number: _____ Email: _____

- This disclosure is to comply with substantial improvement/substantial damage as defined in 44 Code of Federal Regulations 59.1: any reconstruction, rehabilitation, additions, or other improvements of a structure, the cost of which equals or exceeds 50% of the depreciated value of the structure before the start of construction of the improvement or repair.
- I hereby attest that the description included in the permit application for the work on the existing building that is located at the property identified above is all of the work that will be done (or has been conducted), including all improvements, rehabilitation, remodeling, repairs, additions, and any other form of improvement.
- I acknowledge that the City of Bonita Springs will include the cost of all improvements, rehabilitation, remodeling, repairs, additions, and any other form of enhancement in the evaluation, as applicable.
- I acknowledge that if, during the course of construction, I decide to add more work or to modify the work described, that a revision of the permit is required. The City of Bonita Springs Community Development Department will re-evaluate its comparison of the cost of work to the market value of the building to determine if the total cost of the work, including revisions, constitutes substantial improvement/substantial damage.
- I acknowledge that it is not permitted to separate the total cost of repairs or improvements into multiple permits with the intent to circumvent this review.
- I acknowledge that I am subject to enforcement action and/or fines if inspection of the property reveals that I have made or authorized repairs or improvements that were not included in the description of work and the cost estimate for that work that were the basis for issuance of a permit.

Owner Signature: _____

Date: _____

STATE OF _____

COUNTY OF _____

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, this (day) _____ of (month) _____, (year) _____,

By (name of person making statement) _____.

Signature of Notary Public _____

Name of Notary Typed, Printed or Stamped _____

Personally Known OR Produced Identification Type of Identification Produced: _____

Contractor's Substantial Damage/Substantial Improvement Affidavit

Contractor MUST fill complete this page, check or initial at each section below and have the form notarized.

Property Address: _____

Contractor's Name: _____ License Number: _____

Contractor's Company Name: _____

Contractor's Phone Number: _____ Email: _____

- This disclosure is to comply with substantial improvement/substantial damage as defined in 44 Code of Federal Regulations 59.1: any reconstruction, rehabilitation, additions, or other improvements of a structure, the cost of which equals or exceeds 50% of the depreciated value of the structure before the start of construction of the improvement or repair.
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- I acknowledge that the City of Bonita Springs will include the cost of all improvements, rehabilitation, remodeling, repairs, additions, and any other form of enhancement in the evaluation, as applicable.
- I acknowledge that if, during the course of construction, the owner decides to add more work or to modify the work described, that a revision of the permit is required. The City of Bonita Springs Community Development Department will re-evaluate its comparison of the cost of work to the market value of the building to determine if the total cost of the work, including revisions, constitutes substantial improvement/substantial damage.
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- I acknowledge that I am subject to enforcement action and/or fines if inspection of the property reveals that I have made or authorized repairs or improvements that were not included in the description of work and the cost estimate for that work that were the basis for issuance of a permit.

Contractor's Signature: _____ Date: _____

STATE OF _____

COUNTY OF _____

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SUBSTANTIAL IMPROVEMENT / SUBSTANTIAL DAMAGE

NOTICE TO PROPERTY OWNERS

Repairing your building after damage? Conducting additions, renovations, or remodeling?

Here's what YOU need to know about the "50% Rule."

If the lowest floor of your home or business is below the design flood elevation (FEMA's base flood elevation plus one foot) there are floodplain management requirements that may affect how you repair, renovate, or remodel the building. These requirements also allow non-residential buildings to be dry floodproofed rather than elevated. These requirements are consistent with the requirements of the National Flood Insurance Program (NFIP), which protect public safety and investments from future flood damage.

- **SUBSTANTIAL DAMAGE** means damage of any origin sustained by a building or structure whereby the cost of restoring the building to its before damage condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.
 - *Note: The cost of the repairs must include all the costs necessary to fully repair the building to its before damage conditions.*
- **SUBSTANTIAL IMPROVEMENT** means any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed.

A permit is required, even for minor repairs or work performed by property owners:

Repairs and improvements to buildings which do not meet the current flood related requirements of the Florida Building Code and Bonita Springs City Code Chapter 24 (nonconforming buildings) may be authorized when the total project value (labor and materials) does not equal or exceed 50% of the building value. Proposed repairs or improvements that equal or exceed the allowable 50% threshold are required to bring the building into full compliance with all current flood code regulations as outlined by Federal Regulations (CFR 44), the Florida Building Code and Bonita Springs City Code Chapter 24.

1. Building Value:
 - a. There are two available methods of determining the market value of the building.
 - i. Method #1 (default): Building values (excluding land values and detached accessory features) are provided by the Lee County Property Appraiser.
 - ii. Method #2 (optional): Should you disagree with the building value provided by the Property Appraiser you may submit a private appraisal report reflecting the depreciated replacement value of the building exclusively (value prior to the damaging event or proposed improvements).

2. Construction Value:

- a. There are two available methods of determining proposed repair and improvement values.
 - i. Method #1 (default): Cost of proposed construction shall be calculated utilizing the current published International Code Council (ICC) Building Valuation Data based on the square footage of repairs and improvements.
 - ii. Method #2 (optional): Cost of Improvements Worksheet with supporting documentation to substantiate the proposed construction value (labor, materials, overhead and profit) may be submitted should you disagree with Method #1.

What if my project is over the 50% threshold?

If a building is “substantially damaged” or “substantially improved”, it must be brought into compliance with all current floodplain management requirements outlined by Federal Regulations (CFR 44), the Florida Building Code and Bonita Springs City Code Chapter 24, including elevating the lowest habitable floor elevation of the building to or above the elevation required by the Florida Building Code.

- If the existing floor is below the base flood elevation, the building must be elevated to or above the minimum elevation requirement outlined by the Florida Building Code. For example: all electrical and mechanical equipment (heating and cooling, etc.), bathrooms and laundry rooms must be elevated to or above that requirement. Only parking (garages), building access (stairs and elevators) and limited incidental storage is allowed below the elevated building, but only if the walls enclosing those areas comply with the Florida Building Code requirements and Bonita Springs City Code Chapter 24 (Flood Hazard Reduction Program). If engineering analysis indicates dry floodproofing is feasible, non-residential (commercial) buildings may be dry floodproofed instead of being elevated.
 1. Building plans must be prepared to show how the building is to be elevated or and brought into compliance with all flood-related requirements.
 2. Following a Presidential disaster declaration, the Small Business Administration may make loans available for both home and business owners for purposes of bringing buildings into compliance. Proof that your building incurred “substantial damage” is required.

If the building is found to be in full compliance with the Federal Regulations (CFR 44), the Florida Building Code and Bonita Springs City Code Chapter for the flood zone in which it is located, repairs and improvements may be performed (with an approved/issued permit) provided they maintain conformance with the minimum requirements. This means if the lowest floor, electrical and mechanical equipment, laundry and bathrooms are already above the required elevation; if the type of foundation is permitted in the flood zone; if enclosures below the elevated building comply; and if all other aspects of the building conform to the Florida Building Code requirements, no additional flood related requirements may be imposed.