

SUBSTANTIAL IMPROVEMENT/DAMAGE NOTICE TO PROPERTY OWNERS

**Rebuilding or repairing your home/business after the storm?
Adding on, renovating, or remodeling your home/business?
Here's information YOU need to know about *the 50% Rule*.**

Hernando County has flood damage prevention regulations that may affect how you remodel, renovate, or add on to your building. If your home or business sustained structural and/or interior damage, these regulations may affect how you rebuild. These laws are required by the National Flood Insurance Program to protect your lives and investments from future flood damages. Your community must adopt and enforce these laws in order for federally-backed flood insurance to be made available to community residents and property owners.

Save yourself time, aggravation and money. Please read the following information:

SUBSTANTIAL DAMAGE shall mean damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damage sustained by a structure on two (2) separate occasions during a five-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five (25) percent of the market value of the structure before the damage occurred.

(Note: the cost of the repairs must include all costs necessary to fully repair the structure to before damage condition)

SUBSTANTIAL IMPROVEMENT shall mean any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a five-year period prior to the date of permit application, the cumulative cost of which equals or exceeds fifty (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. The term does not, however, include either:

- (1) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure

All repairs and improvements must be permitted through the Building Department for properties subject to the Substantial Improvement/Damage review. Even some improvements that typically do not require a permit (i.e. cabinets, floor covering replacement, fixture replacement) must be evaluated as a remodel since the value must be included in the calculation for this review.

If a building is “substantially damaged” or “substantially improved”, it must be brought into compliance with Hernando County Code of Ordinances flood damage prevention regulations, including elevating the building 1' above the Base Flood Elevation. Properties directly abutting the Gulf of Mexico are required to elevate 2' above the Base Flood Elevation. Likewise, all electrical and mechanical equipment (heating and cooling, etc.), bathrooms and laundry rooms must be elevated as well or removed from the flood hazard area. Only parking, building access and limited incidental storage is allowed below the flood level. Non-residential buildings may be “flood proofed” instead of being elevated. Building permits are required for elevating the structure if necessary.

Hernando County, following National Flood Insurance Program requirements, has the responsibility to determine “substantial damage” and “substantial improvement” and has implemented the following procedures to do so:

1. Hernando County will estimate Market Value by using the tax assessment value of your structure (excluding the land and features). If you disagree with this estimate of Market Value, you may hire a state licensed appraiser and submit a certified property appraisal for the depreciated value of the structure.
2. You may be required to obtain and submit to Hernando County, a detailed and complete cost estimate for the addition, remodeling, reconstruction or for repair of all the damages sustained by your home/business, prepared and signed by a licensed general contractor. The contractor must sign an affidavit indicating that the cost estimate submitted includes all damages or all improvements, not just structural. Hernando County will evaluate the cost of improvement or repairs and determine if they are acceptable. For damage repairs, **pre-storm prices** and rates will be utilized.
3. In some cases, Elevation Certificates may be requested in order to determine if Substantial Improvement/Damage regulations apply.

Following a Presidential disaster declaration, the Small Business Administration may make loans available for both homes and businesses for purposes of elevating the structure to or above the 100-year flood elevation. Proof of “substantial damage” from Hernando County Development Department is required.

Attached is a guidance list of items to be included and excluded from the Substantial Improvement / Substantial Damage review.

This is intended to be an informational sheet to the Substantial Improvement / Substantial Damage review process. There may be additional information and documentation required based on individual circumstances.

If you have any additional questions please contact our department for assistance.

789 PROVIDENCE BLVD
BROOKSVILLE, FL. 34601
Phone 352-754-4050 Fax 352-754-4151

SUBSTANTIAL IMPROVEMENT/DAMAGE

ITEMS TO BE INCLUDED IN ESTIMATING COST:

All structural elements including but not limited to:

- Spread or continuous foundation footings and pilings,
- Monolithic or other types of concrete slabs,
- Bearing wall, 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,
- Reshingling or retiling of roof, and
- Hardware.

All interior finish elements, including but not limited to:

- Tiling, linoleum, stone, or carpet over sub-flooring,
- 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, and
- Hardware.

All utility and service equipment, including but not limited to:

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

Also:

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

SUBSTANTIAL IMPROVEMENT/DAMAGE

ITEMS TO BE EXCLUDED:

- Plans and specifications,
- Survey costs, and
- Permit fees.

- Debris removal (e.g., removal of debris from building or lot, dumpster rental, transport fees to landfill and landfill tipping fees), and
- Clean-up (e.g., dirt and mud removal, building dry out, etc.)

Items not considered real property such as: throw rugs (carpeting over finished floors), furniture, refrigerators, stoves not built-in, etc.

Outside improvements, including:

- Landscaping,
- Sidewalks,
- Fences,
- Yard lights,
- Swimming pools,
- Screened pool enclosures,
- Sheds,
- Gazebos,
- Detached structures (including garages), and
- Landscape irrigation systems.

ITEMS REQUIRED TO DETERMINE SUBSTANTIAL DAMAGE/IMPROVEMENT

Applicant must submit the following (Make sure to have extra copies for your files):

1. Complete the attached application.
2. Detailed Cost of Improvement/Reconstruction Estimate and Affidavit, signed by a general contractor or licensed design professional and a copy of the license.
3. Elevation Certificate or elevation survey.
4. Current photos, or photos before and after the storm (if available).
5. Floor plan drawing (if available).
6. Owner's affidavit signed and dated.
7. Contractor affidavit signed and dated.

GUIDELINES TO COMPLETE THE ATTACHED RECONSTRUCTION/IMPROVEMENT COST ESTIMATE

Reconstruction/Repair Ratio – Percentage of item that must be repaired or reconstructed.
(Example: the home has 20 windows, only 10 were damaged and are being replaced; ratio should equal 50%)

<i>ITEMS</i>	<i>COST</i>	<i>RECON/REP AIR RATIO OF WORK</i>	<i>OFFICIAL USE</i>
	<i>LABOR & MATERIAL</i>		
<i>Concrete, Form, Etc.</i>	<i>\$4,500.00</i>	<i>40%</i>	
<i>Carpentry Material</i>	<i>\$9,004.00</i>	<i>100%</i>	
<i>Doors/Windows, Shutters</i>	<i>\$2,046.00</i>	<i>50%</i>	

ESTIMATED COST OF RECONSTRUCTION/IMPROVEMENT

KEY # _____

ADDRESS _____

This Cost Estimate of Reconstruction/Improvement must be prepared and signed by a Licensed General Contractor

ITEMS	COST		Construction/Repair Ratio of Work	Official Use
	Labor	Materials		
Concrete, Form, Etc.				
Carpentry Material (rough)				
Carpentry Labor (rough)				
Roofing				
Insulation & Weather Strip				
Exterior Finish (stucco)				
Doors, Windows & Shutters				
Lumber Finish				
Carpenter labor, finish				
Hardware, (finish)				
Hardware, (rough)				
Cabinets (built -in)				
Floor covering (tile/rug)				
Plumbing				
Shower/Tub/Toilet				
Electrical				
Light Fixtures				
Built-in Appliances				
HVAC				
Paint				
Demolition and Removal				
Overhead and Profit				
TOTAL				

(Please attach any additional information)

Contractor's Name: _____ CGB Lic #: _____

Address: _____ Phone # _____

Signature: _____ Date: _____

OWNER

RECONSTRUCTION/IMPROVEMENT AFFIDAVIT

Application no: _____

Owner's name: _____

Property
Address: _____

Phone No.: _____

STATE OF FLORIDA
COUNTY OF _____

BEFORE ME the undersigned authority personally appeared _____ who was sworn and under penalty of perjury deposes and says that he/she has read, understands, and agrees to comply with all the aforementioned conditions:

1. Affiant has inspected the subject property and produced the attached itemized project list, which is incorporated herein, of repairs, reconstruction, remodeling damages or improvements which are hereby submitted to Hernando County for a substantial damage or improvement review.
2. Affiant has received "Notice to Owner" sheet.
3. Affiant warrants that the damages, repairs, reconstruction, or remodeling costs or improvements are all of the damages sustained or improvements that will be made to the subject structure and all additions, improvements, or repairs are included in the itemized list attached hereto.
4. Affiant understands that he/she may be subject to enforcement action including, but not limited to, criminal or civil penalties and fines if inspection of the property reveals that repairs or improvements have been made to the subject property by affiant or any person or entity under affiant's direction or control that were not included in the itemized list attached hereto and incorporated herein.

5. Affiant further understands that any permit issued by Hernando County Pursuant to this affidavit does not authorize the reconstruction, repair or maintenance of any illegal addition, fence, sheds, non-conforming use, or structure on the subject property.
6. Affiant under penalty of perjury states that for repair, improvement, reconstruction, etc. on the itemized list incorporated herein his costs and expenses are as follows:

Total Labor and Materials	_____
Overhead and Profit	_____
Total Costs	_____

7. Affiant agrees to provide the County with verification of the items listed in paragraph 6 herein if requested, failure to do so will subject affiant to the penalties and fines set forth in the affidavit.
8. Any preformed or proposed repairs or improvements in addition to those contained in this permit application are to be disclosed to the Hernando County Development Department.

AFFIANT

SWORN TO and subscribed before me on this _____ day of _____, 20_____, By _____, who (___) is personally known to me or (___) has produced _____ as identification, and who (___) did or (___) did not take an oath.

SIGNATURE OF NOTARY PUBLIC

Type/Print/Stamp Name of Notary

CONTRACTOR

RECONSTRUCTION/IMPROVEMENT AFFIDAVIT

Application no: _____

Contractor name: _____ License No: _____

Property
Address: _____

Phone No.: _____

STATE OF FLORIDA
COUNTY OF _____

BEFORE ME the undersigned authority personally appeared _____ who was sworn and under penalty of perjury deposes and says that he/she has read, understands, and agrees to comply with all the aforementioned conditions:

1. Affiant, a member of affiant's staff, or someone under affiant's control or direction has inspected the subject property and produced the attached itemized project list, which is incorporated herein, of repairs, reconstruction, remodeling damages or improvements which are hereby submitted to Hernando County for a substantial damage or improvement review.
2. Affiant will provide the property owner with "Notice to Owner" and any other documents provided by the Development for the owner to review and respond.
3. Affiant warrants that the damages, repairs, reconstruction, or remodeling costs or improvements are all of the damages sustained or improvements that will be made to the subject structure and all additions, improvements, or repairs are included in the itemized list attached hereto.
4. Affiant understands that the affiant, affiant's construction entity, affiant's employees or agents may be subject to enforcement action including, but not limited to, criminal or civil penalties; fines or loss of any licenses issued by the County or state or having permit privileges revoked if inspection of the property reveals that repairs or improvements have been made to the subject property by affiant or any person or entity under affiant's direction or control that were not included in the itemized list attached hereto and incorporated herein.

5. Affiant further understands that any permit issued by Hernando County Pursuant to this affidavit does not authorize the reconstruction, repair or maintenance of any illegal addition, fence, sheds, non-conforming use, or structure on the subject property.
6. Affiant under penalty of perjury states that for repair, improvement, reconstruction, etc. on the itemized list incorporated herein his costs and expenses are as follows:

Total Labor and Materials	
Overhead and Profit	
Total Costs	

7. Affiant agrees to provide the County with verification of the items listed in paragraph 6 herein if requested, failure to do so will subject affiant to the penalties and fines set forth in the affidavit.
8. Any preformed or proposed repairs or improvements in addition to those contained in this permit application are to be disclosed to the Hernando County Development Department.

AFFIANT

SWORN TO and subscribed before me on this _____ day of _____, 20_____, By _____, who (___) is personally known to me or (___) has produced _____ as identification, and who (___) did or (___) did not take an oath.

SIGNATURE OF NOTARY PUBLIC

Type/Print/Stamp Name of Notary