



4970 City Hall Blvd  
North Port, FL 34286  
Phone: 941-429-7044  
Inspections: 855-941-4636

**CITY OF NORTH PORT**  
Substantial Improvement – Substantial  
Damage

bldginfo@northportfl.gov  
www.northportfl.gov

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## **FEMA 50% RULE NOTICE TO PROPERTY OWNERS**

*FOR STRUCTURES LOCATED IN SPECIAL FLOOD HAZARD AREAS (SFHA)  
SUBSTANTIAL IMPROVEMENTS/SUBSTANTIAL DAMAGES*

The 50% Rule is mandated by the Federal Emergency Management Agency (FEMA) and is necessary to remain in compliance with the National Flood Insurance Program (NFIP) requirements. This is enforced through the City of North Port's ULDC Chapter 17 Flood Damage Prevention Regulations chapter. The ULDC Chapter 17 only pertains to structures located within the special flood hazard area (Zone AE) within the city limits of North port. The 50% Rule applies to any building or structure where the cost of improvements, damages, or repairs exceed 50% of the market value of the building or structure, and requires that those buildings or structures be brought up to current Florida Building Code compliance including any FEMA or elevation requirements.

### **Basic Rule:**

If the cost of improvements or the cost to repair the damage exceeds 50% of the market value of the building, it must be brought up to current floodplain management standards.

Substantial damage is determined regardless of the actual cost to the owner. You must figure the true cost of bringing the building back to its pre-damage condition using qualified labor and materials obtained at market prices.

### **Definition:**

**Substantial improvement** means any reconstruction, rehabilitation, addition or other improvement to a structure, the total cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement.

**Substantial damage** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.



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## ITEMS TO BE INCLUDED

(Please check off each line)

### ALL STRUCTURAL ELEMENTS INCLUDING:

- 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-roofing, hardware

### ALL INTERIOR FINISH ELEMENTS, INCLUDING:

- 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 hardware

### ALL UTILITY AND SERVICE EQUIPMENT, INCLUDING:

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

### ALSO:

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



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### ITEMS TO BE EXCLUDED

Plans and specifications Survey costs

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, appliances which are not built-in, etc.

### OUTSIDE IMPROVEMENTS, INCLUDING:

Landscaping	Gazebos
Sidewalks	Detached structures (incl. garages)
Fences	Landscape irrigation systems
Yard lights	Docks
Swimming pools\spa	Seawalls
Screened pool enclosures	Driveways
Sheds	Decks

### ITEMS REQUIRED TO EVALUATE YOUR APPLICATION

**APPLICANT MUST SUBMIT ALL OF THE FOLLOWING** (please check off each item):

1. Completed and signed permit application for substantial damage/improvement review
2. Elevation certificate if property is located above base flood elevation
3. Property Owner's Substantial Damage or Substantial Improvement Affidavit signed, notarized, and dated
4. Contractor's Substantial Damage or Substantial Improvement Affidavit signed, notarized, and dated
5. Estimated Cost of reconstruction/improvement form, and all required backup. Include subcontractor's bids and itemized cost lists (see footnote on Cost Estimate Form)
6. Copy of construction contract. If the owner is the contractor, submit all subcontractor bids to document the cost estimate
7. This checklist



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**APPLICATION FOR SUBSTANTIAL DAMAGE OR SUBSTANTIAL IMPROVEMENT REVIEW**

Property Address: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Property Owner's Address: \_\_\_\_\_

Property Owner's Phone Number: \_\_\_\_\_

Contractor's Name: \_\_\_\_\_

Contractor's Address: \_\_\_\_\_

Contractor's Phone Number: \_\_\_\_\_

Flood Zone

BFE

Lowest Floor Elevation  
 (Excluding garage or carport)

Check one of the following:

I am attaching a State Certified Appraiser's report, valuing the structure at: \$ \_\_\_\_\_

I am not attaching a State Certified Appraiser's report and I accept the use of the valuation of my property that has been recorded by the County Property Appraiser's Office.

SIGNATURES:

Property Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Contractor: \_\_\_\_\_

Date: \_\_\_\_\_



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**PROPERTY OWNER'S AFFIDAVIT**

Property Address: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Property Owner's Address: \_\_\_\_\_

Property Owner's Phone Number: \_\_\_\_\_

Contractor's Name: \_\_\_\_\_

I hereby attest that the list of work and cost estimate submitted with my Substantial Damage or Substantial Improvement Application reflects **ALL OF THE WORK TO BE CONDUCTED** on the subject structure including all additions, improvements, and repairs and, if the work is the result of Substantial Damage, this work will return the structure at least to the "before damage" condition and bring the structure into compliance with all applicable codes. Neither I nor any contractor or agent will make any repairs or perform any work on the subject structure other than what has been included in the attached list.

**I UNDERSTAND THAT I AM SUBJECT TO ENFORCEMENT ACTION, WHICH MAY INCLUDE FINES, IF ANY INSPECTION OF THE PROPERTY REVEALS THAT I, OR MY CONTRACTOR, HAVE MADE REPAIRS OR IMPROVEMENTS NOT INCLUDED ON THE ATTACHED LIST OF REPAIRS OR THE APPROVED BUILDING PLANS.**

See attached itemized list.

\_\_\_\_\_  
 Signature of Owner

\_\_\_\_\_  
 Printed Name of Owner

**STATE OF FLORIDA, COUNTY OF SARASOTA**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ by

\_\_\_\_\_ who is personally known to me  or who has produced

\_\_\_\_\_ as identification by means of  physical presence or  online notarization.

Notary Public Signature \_\_\_\_\_

SEAL



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**CONTRACTOR'S AFFIDAVIT**

Property Address: \_\_\_\_\_

Contractor's Name: \_\_\_\_\_

Contractor's Company Name: \_\_\_\_\_

Contractor's Address: \_\_\_\_\_

Contractor's Phone Number: \_\_\_\_\_

Contractor's State License Number: \_\_\_\_\_

I hereby attest that I, or a member of my staff, personally inspected the subject property and produced the attached itemized list of repairs, reconstruction and/or remodeling which are hereby submitted for a Substantial Damage or Substantial Improvement Review. The list of work contains **ALL OF THE WORK TO BE CONDUCTED** on the subject property. If the property sustained Substantial Damage, this list of work will return the structure to at least its condition prior to damage and bring the structure into compliance with all applicable codes. I further attest that all additions, improvements, or repairs proposed for the subject building are included in this estimate and that neither I nor any contractor or agent representing me will make any repairs or perform any work on the subject structure other than what has been included in the attached list.

**I UNDERSTAND THAT I AM SUBJECT TO ENFORCEMENT ACTION, WHICH MAY INCLUDE FINES, IF ANY INSPECTION OF THE PROPERTY REVEALS THAT I, OR MY CONTRACTOR, HAVE MADE REPAIRS OR IMPROVEMENTS NOT INCLUDED ON THE ATTACHED LIST OF REPAIRS OR THE APPROVED BUILDING PLANS.**

See attached itemized list.

\_\_\_\_\_  
 Signature of Contractor

\_\_\_\_\_  
 Printed Name of Contractor

**STATE OF FLORIDA, COUNTY OF SARASOTA**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by

\_\_\_\_\_ who is personally known to me  or who has produced

\_\_\_\_\_ as identification by means of  physical presence or  online notarization.

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## Cost Estimate of Reconstruction / Improvement ITEMIZED LIST

Property Address: \_\_\_\_\_ Date: \_\_\_\_\_

This cost estimate of reconstruction/improvement must be prepared by and signed by the contractor or by the owner if the owner acts as the contractor. Owners who act as their own contractors must estimate their labor cost at the current market value for any work they intend to perform.

	Sub-Contractor Bids	Contractor or Owner Estimates	
	Bid Amounts (see note "C")	Material Costs	Labor Costs
1. Masonry			
2. Carpentry Material (rough)			
3. Carpentry Labor (rough)			
4. Roofing			
5. Insulation and weather-strip			
6. Exterior Finish (stucco)			
7. Doors, Windows & Shutters			
8. Lumber Finish			
9. Hardware			
10. Drywall			
11. Cabinets (Built-in)			
12. Floor Covering			
13. Plumbing			
14. Shower/Tub/Toilet			
15. Electrical & Light Fixtures			
16. Concrete			
17. Built-in Appliances			
18. HVAC			
19. Paint			
20. Solar Panels & Equipment			
21. Demolition & Removal			
22. Overhead & Profit			
23.			
24.			
25.			
Subtotals:			

**TOTAL ESTIMATE COST:** \$ \_\_\_\_\_

**Subcontractor bids may be used for any material and/or labor cost breakdown. INCLUDE donations and volunteer labor.**

\_\_\_\_\_  
 Signature of Owner

\_\_\_\_\_  
 Printed Name of Owner