

Collier County Declaration of Land Restriction

Non-Conversion Agreement

This form is for use in Flood Zones VE, AE, AH and A for proposed development, substantial improvement, alteration, or repair for the following (1) Enclosures below elevated buildings, (2) Crawl/Underfloor spaces that are more than 5 feet in height, (3) Detached accessory structures that are not elevated and are larger than 120 square feet in area (footprint).					
This	S DECLARATION made this	day of		, 20	by
					wner") having an
add	ress at:				
		WITNESS	БЕТН:		
	WHEREAS, the Owner is the	record owner of	all that real pro	perty located	at
	Collier County, designated in t				
	being that same property acc , and recorded among th and Page No	e Land Records o			
and	WHEREAS, the Owner has ap	plied for a permi	t to construct a	structure on	that property
(1)	It is identified by Permit Num	ıber			("Permit");
(2)	(2) It is located in a flood hazard area identified on Flood Insurance Rate Map				
	Panel #		, dated		;
(3)	It is located in Flood Zone		Base Flood Ele	evation:	
	Seaward of LiMWA or community-defined Coastal A Zone limit: ☐ Yes ☐ No				
	Seaward of CCCL: ☐ Yes ☐ N	0			
(4)	It is designed to conform to the requirements of the Collier County Floodplain Management Ordinance referred herein as "Regulations," of Collier County, Florida and the Florida Building Code, if applicable; and				



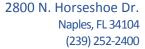
(5) If unauthorized improvements, modifications, alterations, conversions or repairs are made to it in the future, the structure could be made noncompliant by such unauthorized actions, including such actions by future owners.

WHEREAS, the Owner agrees to record this DECLARATION OF LAND RESTRICTION (NONCONVERSION AGREEMENT) on the deed of the property recorded in the above-cited land records and certifies, accepts, and declares that the following covenants, conditions, and restrictions are placed on the affected property as a condition of granting the Permit, and affects rights and obligations of the Owner and any future owners, and shall be binding on current Owner, his heirs, personal representatives, successors, and assigns.

THE PERMITTED STRUCTURE SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE, OR LOCAL FLOODPLAIN MANAGEMENT REGULATIONS, AS APPLICABLE, AND IS SUBJECT TO CONDITIONS as follows:

1.	The structure or part thereof to which these conditions apply is:
	☐ An enclosure that is below an elevated building
	☐ A crawl/underfloor space enclosed by perimeter walls and is more than 5 feet in height
	☐ A detached accessory structure that is not elevated and is larger than 120 square feet in
	area (footprint)

- 2. The structure or part thereof identified in #1 shall be used solely for parking of vehicles, storage, or access to an elevated building, as applicable.
- 3. If required by the *Florida Building Code* or local Regulations, as applicable, the walls of the structure or part thereof identified in #1 shall be equipped with flood openings. The flood openings shall not be blocked, covered, manually closed or modified in any way that would alter the intended performance to allow floodwaters to automatically enter and exit.
- 4. If required by the *Florida Building Code* or local Regulations, as applicable, the walls of the structure or part thereof identified in #1 shall be designed to break away. The breakaway walls shall not be altered in any way that prevents the walls from breaking away, as designed, under flood conditions.
- 5. As required by the *Florida Building Code* or local Regulations, as applicable, building materials used below the elevation required by the *Florida Building Code*, shall be flood damage-resistant materials and unfinished.
- 6. Any conversion, alteration, modification, improvement, repair, or change in use of the structure or part thereof identified in #1:
 - a. Shall not occur without the issuance of a permit by the Collier County Building Plan Review and Inspection Division, or any successor division; and





- b. Depending on the nature of work, such permit may require full compliance with the *Florida Building Code*.
- 7. Any repair, conversion, alteration, modification, improvement, repair, or change in use of the structure or part thereof identified in #1 or any other unpermitted variation beyond what is explicitly authorized by permit constitutes a violation of the Permit, local Regulations, and the *Florida Building Code* and shall be subject to enforcement action to correct such violation.

8. Other conditions:	
WARNINGS	
permitted structure or part there of identifie	cation, improvement, repair, or change in use of the ed in #1 may render the structure uninsurable by crease the cost for flood insurance commensurate
uses other than permitted uses, or the unau uses other than permitted uses, exposes occ	elow the lowest floor of an elevated building for thorized conversion of an accessory structure for cupants to increased risk of death and injury. The be held liable for any increase in damage or injury
SIGN ONLY IN THE PRESENCE OF A NOTARY	
Owner's Signature / Date	Printed Name
(Additional) Owner's Signature / Date	Printed Name
	Type of ID:
Witness my hand and official	seal, this day of 20
	SEAL:

Notary Public Signature