

Collier County Declaration of Land Restriction

Non-Conversion Agreement

This form is for use in Flood Zones VE, AE, AH and A for either new construction, substantial improvement, alteration, or repair of 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).

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This	DECLARATION made this					
("Owner") having an address at:						
WIT	NESSETH: WHEREAS, the Owner is the record ow	vner of that real pro	operty legally described as follo	ows:		
beir	ollier County, designated in the Tax Recong that same property acquired by t, and recorded in the public recor	the Owner by dee	d dated			
	WHEREAS, the Owner has applied for a	a permit to construc	ct a structure on that property a	and:		
(1)	It is identified by Permit Number		("Permit"	');		
(2)	It is located in a flood hazard area ider	ntified on Flood Insu	urance Rate Map			
	Panel #	, dated	;			
(3)	It is located in Flood Zone	Base Floo	d Elevation:			
	Seaward of LiMWA or community-defined Coastal A Zone limit: ☐ Yes ☐ No					
	Seaward of CCCL: ☐ Yes ☐ No					
(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.



BuildingFloodDocs@colliercountyfl.gov

WHEREAS, the Owner agrees to record this DECLARATION OF LAND RESTRICTION (NON-CONVERSION AGREEMENT) in the public records of Collier County, Florida 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:

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 fee	t in height
☐ A detached accessory structure that is not elevated and is larger than 120 scarea (footprint)	luare feet in
The structure or part thereof identified in #1 shall be used solely for parking	of vehicles,
orage, 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.
- 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 Floodplain Management Section, or any successor division; and
 - b. Depending on the nature of work, such permit may require full compliance with the *Florida Building Code*.





8. Other conditions:

2800 N. Horseshoe Dr.
Naples, FL 34104
Flood Info Hotline: (239) 252-2942
BuildingFloodDocs@colliercountyfl.gov

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 or floodplain management approval document may constitute a violation of the Permit, local Regulations, and the *Florida Building Code* and shall be subject to enforcement action to correct such violation.

WARNINGS Unauthorized conversion, alteration, more permitted structure or part there of identificational Flood Insurance Program or incentification the increased risk. Unauthorized conversion of an enclosure other than permitted uses, or the unauthorized than permitted uses, exposes occupants.	tified in #1 may rend rease the cost for fl below the lowest fl thorized conversion upants to increased	der the structure uninsurable by the ood insurance commensurate with oor of an elevated building for uses of an accessory structure for uses risk of death and injury. The local
SIGN ONLY IN THE PRESENCE OF A NOTA	ARY:	
Owner's Signature / Date	 Printed Name	
(Additional) Owner's Signature / Date	Printed Name	
The foregoing instrument was acknowled	lged before me this	day of
20by		(name of owner) who has
produced identification		
Notary Public Signature	Seal:	