

CITY OF BONITA SPRINGS

Community Development Department
9220 Bonita Beach Road, Ste. 111
Bonita Springs, FL 34135
phone: (239) 444-6150
email: permitting@cityofbonitaspringscd.org

DECLARATION OF LAND RESTRICTION NONCONVERSION AGREEMENT

WHEREAS, Permit Number _____ has been issued to construct, improve, or repair the property at _____ (address) Bonita Springs, Florida, and is currently identified by Lee County as Strap/Parcel Number _____, and

WHEREAS, the FEMA Flood Insurance Rate Map (FIRM) has identified this property location as a Zone _____, with a base flood elevation of _____ feet (NAVD) above mean sea level according to the Flood Insurance Rate Map (FIRM) dated _____.

WHEREAS, the permitted building has the lowest living floor elevated to/above the design flood elevation of _____ feet and the design and construction of the building meets current Florida Building Code and Flood Damage Prevention Ordinance requirements, and

WHEREAS, as a condition of a Certificate of Occupancy, the owner must agree to not alter the building in a manner so as to violate the Florida Building Code or Flood Damage Prevention Ordinance requirements,

Now, therefore, the undersigned owner of said property hereby agrees to the following:

1. That enclosed areas below the lowest floor shall be used solely for parking of vehicles, limited storage or access to the building and will never be used for human habitation without first becoming fully compliant with the Florida Building Code or Flood Damage Prevention ordinance in effect at the time of conversion.
2. That all interior walls, ceilings and floors below the design flood elevation shall be unfinished or constructed of flood-resistant materials.
3. That mechanical, electrical or plumbing devices that service the building shall not be installed below the design flood elevation.
4. That the hydrostatic relief openings in the walls (flood vents) of the enclosed area below the lowest floor shall not be blocked, obstructed or otherwise altered to reduce the size of the openings or restrict the automatic entry and exit of floodwater.
5. That any variation in construction beyond what is permitted shall constitute a violation of this agreement and Section 24-33 of Ordinance 18-12.
6. That this Agreement shall be recorded with the deed to the above property so that subsequent owners' are made aware of these restrictions, and shall be binding hereto to future owners or successors-in-assigns.
7. Submit a notarized acknowledgement attached to this declaration.

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ACKNOWLEDGMENT NOTARY FORM

*** SIGN ONLY IN THE PRESENCE OF A NOTARY PUBLIC ***

Signature of Property Owner: _____

Printed Name of Property Owner: _____

Document being Notarized: _____

Date: _____

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged 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 - State of Florida: _____

Print, Type, or Stamp Commissioned Name of Notary Public: _____

Personally Known ☐ OR Produced Identification ☐

Type of Identification Produced: _____