Declaration of Land Restriction

Non-Conversion Agreement

Use this form for the following project types in FEMA Special Flood Hazard Areas (SFHA) with enclosed non-habitable areas below the Design Flood Elevation (DFE):

Residential Permits

1. Single-family residence (SFR)
    a. New Construction
    b. Addition
2. Accessory structure to SFR
3. Two-family dwelling (duplex)
    a. New Construction
    b. Addition
    c. Accessory structure to two-family dwelling

Commercial Permits

1. Condos, apartments, businesses of all types
    a. New Construction
    b. Addition
    c. Accessory structures

Important Note: Client is responsible for recording the approved document with the Hillsborough County Clerk of the Court's Office. Client must submit a copy of the recorded Declaration to our offices prior to plan approval.

Non-Habitable Area Examples: Garage, crawlspace, sheds

Instructions

1. Please complete the following portions of the form:
    a. Permit Number
    b. Address
    c. Parcel ID
    d. Property Owner Signature/Printed Name/Date
    e. Witness Signature/Printed Name/Date (Plan Review staff will provide NAVD elevations)
2. Remit a copy of the completed form with your initial project submittal. (Plan Review staff will provide NAVD elevations, approve form if all items in number 1 were properly completed, and return form to you.)
3. Record the approved form with the Hillsborough County Clerk of Court.
4. Remit a copy of the recorded Declaration with your plan submittal (response to plan review comments).

Prevent Permitting Delays

Client Responsibility: Client is responsible for recording the approved document with the Hillsborough County Clerk of Court's Office.

When Due: Client must remit a copy of the recorded Declaration to our offices prior to plan approval.

Space above this line is reserved for recording data.

Declaration of Land Restriction
Non-Conversion Agreement
For Certain Structures in the Floodplain

Whereas, Permit # _____ has been issued to construct, improve or repair the property at _____(address), with Parcel ID # _____ in the City of Tampa, Florida, and

Whereas, the permitted building has the lowest floor elevated above the design flood elevation/base flood elevation plus _____ FT (NAVD), and the design and construction of the building meets current 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 at a later date so as to violate the building code or flood damage prevention ordinance requirements.

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

1. That the enclosed area 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 flood damage prevention ordinance in effect at the time of conversion.
2. That all interior walls, ceilings and floors below the design floor elevation/base flood elevation plus ____ FT (NAVD) shall be unfinished or constructed of flood-resistant materials.
3. That mechanical, electrical or plumbing devices servicing that building shall not be installed below the design flood elevation/base flood elevation plus ____ FT (NAVD).
4. That the openings in the walls 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 5-111.243 of Ordinance No. 2021-8.
6. That the owner and subsequent owners understand that the City of Tampa has a right to inspect inside the premises at any time to verify compliance with this agreement. Such inspections will be conducted no more frequently than twice each year. More frequent inspections may be conducted if a violation of an issued permit is identified on inspection.
7. That this agreement shall be recorded with the Hillsborough County Clerk of the Circuit Court so that subsequent owners are made aware of these restrictions.

_____ Printed Name of Property Owner

_____ Signature of Property Owner

NOTARY

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, _____, by _____(name of person making statement).

_____ Signature of Notary Public – State of Florida

(NOTARY SEAL)

_____ Printed or Typed Name of Notary Public

Personally known:____☐____
OR Produce Identification:____☐____
Type of Identification Produced:_____