

DISASTER RECOVERY IMPORTANT INFORMATION FOR DAMAGE AND REPAIRS

After a disaster strikes, the Village of Estero will be open for business once we are safely able to do so. We wish to assist residents and businesses with recovery efforts. Please see below for important information about emergency permitting.

Building Repairs not requiring a permit:

- **Removal of trash and debris from, on, or inside a structure**
- **Screen replacement** (structural components of the lanai require a permit). If the lanai includes a pool, a barrier such as a temporary fence should be installed to prevent outside access for safety purposes.
- **Replacement of broken glass within existing framing for windows and doors**
Entire windows or door frames require a permit.
- **Temporary structural shoring and bracing so it is safe to enter to evaluate and identify repairs**

Building Repairs requiring a permit:

- **Roof repairs**
- **Drywall and insulation replacement**
- **Utility services and equipment**
- **Interior and exterior repairs**
- **All structural components**
- **Fence replacement**
- **Lanai, door, window** (except as detailed above)

Building Inspections:

All inspections requested are being accepted, with priority given to hurricane-related repairs. Email inspections@estero-fl.gov or call 239-319-2817.

For all work done on an emergency basis that normally requires a permit, application should be made within 24 hours of the commencement of repairs, if possible.

If you have any **permitting** questions or require assistance in **obtaining a building permit**, please contact the Village of Estero Permitting Department at 239-221-5036 or email permitting@estero-fl.gov.

****To protect yourself, please make sure all contractors are licensed and insured. This is required by State law.**

Additional Damage Assessment Information:

Properties located in a **Special Flood Hazard Area** will fall under the **Substantial Improvement/Substantial Damage Determination** (known as the 50% rule). Under the 50% rule, if the repair amount is equal to or exceeds 50% of the improved value of the structure before the event, the structure must comply with current elevation standards outlined in the Florida Building Code 7th Edition.

Damage Assessment:

The Village of Estero, following the National Flood Insurance Program (NFIP) requirements, has the responsibility to determine “substantial damage” and “substantial improvement”.

- 1. Substantial damage** is defined as damage of any origin sustained by a structure whereby the cost of restoring the structure to its “before damage” condition would equal or exceed 50% of the market value of the structure. *(Note: The cost of the repairs must include all costs necessary to fully repair the structure to its “before damage” condition.)*
- 2. Substantial improvement** is defined as any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the building or structure before the improvement or repair is started.

These laws are required by the NFIP to protect lives and investment from future flood damages. The Village must enforce these laws in order for federally-backed flood insurance and disaster funding to be made available to the Village and its residents and property owners.

FEMA 50% Rule:

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. See www.fema.gov/sites/default/files/2020-07/fema_p213_08232018.pdf for more information.

A permit is required, regardless of who is performing the work. Should the total work (current application plus other applicable open applications or cumulative permits to restore structure to pre-disaster condition) not equal or exceed the 50 percent threshold, a permit may be approved. Each permit is reviewed for compliance with the 50 percent allowance at time of permit application. Following National Flood Insurance Program requirements, the Village of Estero has the responsibility to determine “substantial damage” and “substantial improvement”, described here:

- The Village of Estero estimates the Market Value of a building by using the Lee County Property Appraiser’s tax assessment value of the building (excluding the land and accessory features). Should you disagree with the valuation determined

listed above you may hire a State Licensed Real Estate Appraiser and submit documentation of the market value of the building. Market value is the actual cash value (like-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) of the building or structure.

- You must obtain and submit a detailed and complete cost estimate (all materials and labor) for the addition, remodeling, reconstruction, and/or repair of all damage incurred to your building with the permit application. The Building Department will evaluate the cost of improvements or cost of repairs and determine if they are fair and reasonable. For repair of storm or flood damage, pre-storm prices and rates will be used. The cost of improvements or repairs does not include items not considered a permanent part of the building (i.e., plans, surveys, sidewalks, pools, screens, sheds, gazebos, fences. Etc.).

If a building is “substantially damaged” or “substantially improved”, it must be brought into compliance with the floodplain management requirements in the Florida Building Code, including elevating the building to or above the elevation required by the Florida Building Code.

- If the existing floor is below the base flood elevation, the building must be elevated to or above the minimum elevation requirement outlined by the Florida Building Code. Likewise, all electrical and mechanical equipment (heating and cooling, etc.), bathrooms and laundry rooms must be elevated to or above that requirement. Only parking (garages), building access (stairs and elevators) and limited incidental storage is allowed below the elevated building, but only if the walls enclosing those areas comply with the Florida Building Code requirements, including flood openings. If engineering analysis indicates dry floodproofing is feasible, non-residential buildings may be dry floodproofed instead of being elevated.

If the building is found to be in compliance with all of the Florida Building Code requirements and floodplain regulations for the flood zone in which it is located, repairs and improvements may be performed provided they maintain conformance with the minimum requirements. This means if the lowest floor, electrical and mechanical equipment, laundry and bathrooms are already above the required elevation; if the type of foundation is permitted in the flood zone; if enclosures below the elevated building comply; and if all other aspects of the building conform to the Florida Building Code requirements, no additional flood related requirements may be imposed.

- Building plans must be prepared to show how the building is to be elevated and brought into compliance with all flood-related requirements.
- Following a Presidential disaster declaration, the Small Business Administration may make loans available for both home and business owners for purposes of bringing buildings into compliance. Proof that your building incurred “substantial damage” is required.

1. Minor Damage

Permits for minor damage, consisting of roof covering, screen enclosures, wood decks, doors, windows, and other non-structural components may be obtained upon the submission of an itemized list from the contractor or owner-builder stating the items to be repaired, with an accurate cost estimate of the repairs. It will be the responsibility of the owner-builder or contractor to request the required inspections from the Village Inspections Department at 239-319-2817 or use an approved private provider, architect, or engineer to perform the inspections and provide inspections reports to the Village Inspections Office.

2. Major Damage

Permits for structural components such as damaged glass rooms, trusses, cladding (roof and wall sheathing) and non-structural components may be issued to a Florida licensed contractor registered with the Village of Estero or owner-builder, upon submission of an itemized list signed and sealed by an approved architect or engineer. Engineered plans are not required for trade permits such as mechanical (air conditioning), electrical, and insulation.

3. Major Structural Damage

Permits for collapsed roofing systems, destroyed walls, foundation damage, damage to beams and other major structural components will only be issued upon submission of detailed construction drawings prepared and sealed by an approved architect or engineer.

BUILDING REPAIRS OR IMPROVEMENTS SUBJECT TO DETERMINATION OF SUBSTANTIAL DAMAGE/IMPROVEMENT

To assist in making the determination of substantial damage and substantial improvement, a cost form with itemized costs must be submitted with your permit. The following list of costs that must be included is not intended to be exhaustive, but characterizes the types of costs that must be included:

- Materials and labor, including the estimated value of donated or discounted materials and owner or volunteer labor
- Site preparation related to the improvement or repair (e.g., foundation excavation or filling in basements)
- Demolition and construction debris disposal
- Labor and other costs associated with demolishing, moving, or altering building components to accommodate improvements, additions, and making repairs
- Costs associated with complying with any other regulations or code requirement that is triggered by the work, including costs to comply with the requirements of the Americans with Disabilities Act (ADA)

- Costs associated with elevating a structure when the proposed elevation is lower than the BFE
- Construction management and supervision
- Contractor's overhead and profit
- Sales taxes on materials
- Structural elements and exterior finishes, including:
 - Foundations (e.g., spread or continuous foundation footings, perimeter walls, chain walls, pilings, columns, posts, etc.)
 - Monolithic or other types of concrete slabs
 - Bearing walls, tie beams, trusses
 - Joists, beams, subflooring, framing, ceilings
 - Interior non-bearing walls
 - Exterior finishes (e.g., brick, stucco, siding, painting, and trim)
 - Windows and exterior doors
 - Roofing, gutters, and downspouts
 - Hardware
 - Attached decks and porches
- Interior finish elements, including:
 - Floor finishes (e.g., hardwood, ceramic, vinyl, linoleum, stone, and wall-to-wall carpet over subflooring)
 - Bathroom tiling and fixtures
 - Wall finishes (e.g., drywall, paint, stucco, plaster, paneling, and marble)
 - Built-in cabinets (e.g., kitchen, utility, entertainment, storage, and bathroom)
 - Interior doors
 - Interior finish carpentry
 - Built-in bookcases and furniture
- Hardware
- Insulation
- Utility and service equipment, including:
 - Heating, ventilation, and air conditioning (HVAC) equipment n Plumbing fixtures and piping
 - Electrical wiring, outlets, and switches
 - Light fixtures and ceiling fans
 - Security systems
 - Built-in appliances
 - Central vacuum systems
 - Water filtration, conditioning, and recirculation systems