



Homeowners Guide: Navigating the Single-family Residential Rebuilding Process in the Unincorporated Areas of Sarasota County

Introduction

Rebuilding after a disaster requires knowledge of many laws, rules and regulations at the federal, state, and county level. Understanding the approval and permitting processes at those levels can help homeowners, contractors and realtors assess:

- Risks associated with purchasing, rebuilding, or remodeling a property.
- Limitations on the extent of renovations and types of structures that can be built on a property.
- Necessary approvals and permits needed to rebuild after a disaster on a property.
- Pre-disaster actions to ease/facilitate the rebuilding process.

A goal of the Post Disaster Redevelopment Plan (PDRP) is to allow homeowners affected by a disaster to rebuild on their property in accordance with the prevailing zoning regulations and building codes in existence at the time of rebuilding. This means that if a lot is deemed “buildable” following a disaster (in accordance with the zoning of the property and other applicable regulations at the time of application), a homeowner may repair or replace damaged structures. Property owners must repair and rebuild in conformance with FEMA regulations and the Florida Building Code, and other applicable regulations in effect at that time.

Who Approves Projects?

Government organizations at the federal, state, and county level that may have approval authority for a rebuilding project are:

- **Federal Emergency Management Agency (FEMA):** FEMA maintains the official Flood Insurance Rate Maps (FIRM) and data used to determine the elevation requirements for building in all flood-prone areas. FEMA also administers the National Flood Insurance Program (NFIP) and monitors the compliance and effectiveness of state, county and local building departments enforcing the requirements of the NFIP. County officials enforce NFIP provisions through the building permit process.
- **Florida Department of Environmental Protection (FDEP):** Among other things, the FDEP evaluates the impact on coastal regions of all construction occurring seaward of the state’s Coastal Construction Control Line (CCCL) along our barrier islands. FDEP permits are required for any construction that is seaward of the CCCL.
- **Sarasota County:** The county evaluates all development proposals in the unincorporated area for consistency with the Comprehensive Plan and Code of Ordinances. Of particular importance when rebuilding are the following:

Coastal Setback Code: The County administers the Coastal Setback Code governing construction seaward of the Gulf Beach Setback Line (GBSL) or waterward of the Barrier Island Pass Twenty-Year

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Hazard Line (PHL). The Coastal Setback Code generally prohibits development activities seaward of the GBSL and PHL. While staff can approve certain activities, many activities seaward of the GBSL and PHL require a variance by the Sarasota Board of County Commissioners.

Zoning Regulations: Sarasota County administers the Zoning Code in the unincorporated areas of Sarasota County. The City of Venice, the City of North Port, the City of Sarasota (including Lido Key) and the Town of Longboat Key, each administer their respective zoning codes. Zoning considerations include, but are not limited to, allowable uses, building setbacks, etc. Non-conforming properties may require a variance from the Board of Zoning Appeals (BZA).

Building Code: Sarasota County administers the Florida Building Code (FBC) and any local requirements. The City of Venice, the City of North Port, the City of Sarasota (including Lido Key) and the Town of Longboat Key, each have their own building permit review process. Building permits will be required during post-disaster redevelopment, just as they are required pre-disaster.

Other Regulations and Encumbrances: Depending on the location of a property, other regulations, like the Myakka River Protection Code, and encumbrances like conservation easements and preserve areas may apply.

What Information Do I Need to Get Approval to Rebuild?

Many factors determine “what can be built where,” and which government authorities have authority over the building process are:

- The extent of repair/renovation/rebuilding proposed by the homeowner.
- The elevation of the proposed structures.
- The location of proposed construction in relation to State and County control lines.

Licensed professionals (e.g., engineers, surveyors, architects, builders, tradesmen) should be engaged by homeowners to help determine the scope of their projects and to help navigate through the approval/permit process. To do so, homeowners and homeowners’ contractors must have several key pieces of information:

- **Elevation Certificate:** All permitted structures in a flood zone within the past 10 years in Sarasota County should have an elevation certificate on file with the county. You can obtain a copy of this certificate from county records by emailing a request to records@scgov.net. If there is no elevation certificate on file, you will have to hire a licensed professional surveyor to produce one for your property and maintain it with other pertinent documents required for rebuilding. The elevation certificate is used to determine building height requirements in accordance with State of Florida and FEMA FIRM-level requirements.
- **Property Site Survey:** All permitted structures in Sarasota County should be included in a site survey on file with the county. To obtain a copy of site surveys from Sarasota County please email

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records@scgov.net. If no site survey is on file, you will have to hire a Florida licensed professional surveyor to produce one for your property. The property site survey is used to determine compliance with setbacks and other zoning and building regulations.

- **Structures located near or within sensitive areas (Myakka River Protection Zone [MRPZ], Gulf Beach Setback Line [GBSL], Barrier Island Pass Twenty-Year Hazard Line (PHL), Coastal Construction Control Line [CCCL], and encumbrances like conservation easements, or preserve areas):** The location of structures on your property in relation to sensitive areas should be clearly indicated on any site survey of your property. You can also obtain information about the coastal construction lines using the County GIS system at <https://ags2.scgov.net/sarcodata3.4/>, selecting the display overlay option to “show control lines,” and searching for your property address or property ID.
- **Zoning Designation:** You can determine the zoning designation of a property using the Sarasota County Property Appraiser’s website at <http://www.sc-pa.com> and searching for your property by physical address, property ID or owner name.
- **Value of Existing Structures:** Each year, the *just market value* of structures on your property is included in an assessment by the Sarasota County Property Appraiser. You can access this information via the Property Appraiser’s website at <http://www.sc-pa.com> and searching for your property by physical address, property ID or owner name. Alternatively, you may use a recent appraisal from an independent state-licensed appraiser.
- **Plans for Proposed Project:** Plans for proposed projects should be from licensed design professionals (architects and engineers). The county keeps previously approved residential building plans for 10 years. If your intent is to rebuild to previously approved plans, you may be able to obtain those from county records by emailing records@scgov.net. However, please be aware that the code typically changes on a 3-year cycle. If your home was originally built to a different standard than the one in place at the time of rebuilding, the plans on file will have to be redesigned under the newer code. For projects that deviate from prior plans, or in cases where previously approved plans are not available from county records, you will need to submit new plans.
- **Dollar Value of Your Proposed Project:** Derived from bids by licensed and insured contractors.

To help assist property owners to compile information that will help expedite redevelopment, we have provided the **Ready Kit** at the end of this document. It is a checklist of items that owners may compile pre-disaster to assist them in repair and rebuilding.

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Navigating the System

The accompanying flowchart guides homeowners, realtors and contractors through the review process. Using information about your specific project and property, you can follow the flowchart to a description of the required approvals/permits and building elevation requirements that fit your specific circumstances. The flowchart begins with the assumption that there is a buildable lot in conformance with the zoning regulations in force at the time of the disaster. From that point, you can determine what processes or approvals apply by answering the questions. It is important however to understand the following definitions:

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair begins. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed.

- **Is my proposed project a “substantial improvement”?** A substantial improvement is defined as a project with a total dollar value that exceeds 50% of either, the term also includes structures which have incurred “substantial damage”:
 - 120% of the Sarasota County Property Appraiser’s most recent “just market value” of the buildings/structures on the property (i.e., the land value is not included), **OR**
 - The pre-damage depreciated replacement value of the buildings/structures on the property as determined by an independent state-licensed appraiser.
- **Is the proposed project partially or wholly seaward of the County’s Gulf Beach Setback Line, waterward of the Pass Hazard Line, or within the Myakka River Protection Zone?**
- **Is the proposed project partially or wholly seaward of the State’s Coastal Construction Control Line?**
- **Is the elevation of my proposed project above the minimum FEMA or state elevation FIRM-level for the property?**

Be Prepared

Following a disaster, government officials are likely to encounter a large number of damaged structures and a high volume of permit applications. Permits and approvals can be delayed by back-and-forth requests for information needed to issue required permits. Homeowners can help avoid some of these delays by taking some steps before disaster strikes:

- Understand your insurance coverage, including what services your insurer provides in post-disaster situations, and what participation/information they require for damage assessment and during the rebuilding process.

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- Keep essential information in a safe place on a USB flash drive or other electronic medium (please see the attached Ready Kit checklist). Homeowners should keep the latest copies of:
 - Applicable insurance policies.
 - Elevation certificates.
 - Up to date/accurate property survey.
 - Property Appraisers' records for your property.
 - Building plans (if available/applicable).
 - Current property appraisal.

- Make arrangements with a builder or other contactors to respond to your needs in the event of a disaster and provide them copies of your essential documents.



**Post-Disaster Ready Kit for Single-family Residential Property
Owners in Unincorporated Sarasota County**

Be Prepared

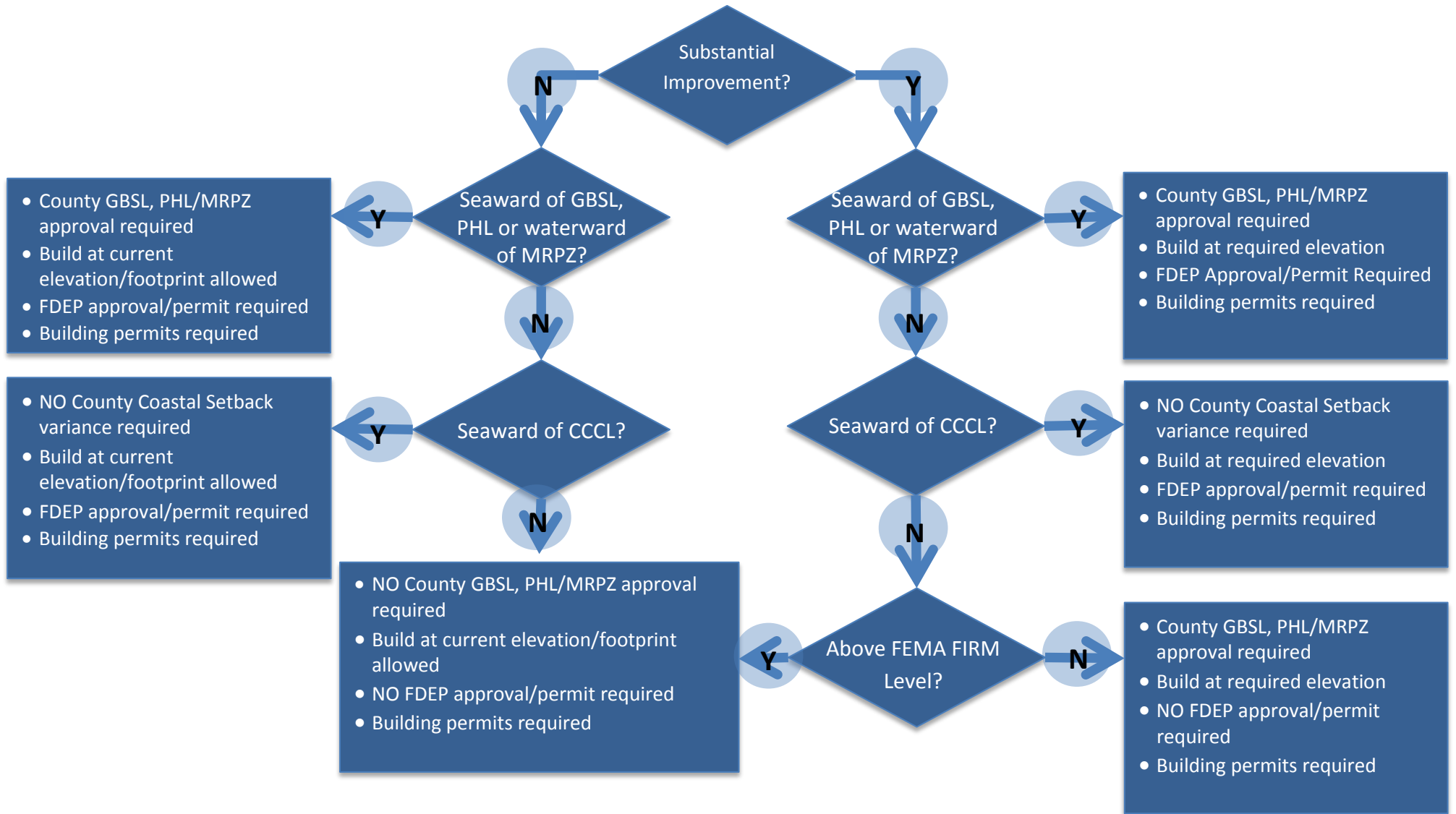
Maintaining up-to-date copies of pertinent documents will help expedite the redevelopment permitting process after a major disaster. The county recommends maintaining a copy of the information listed in the below “Ready Kit” to demonstrate the pre-disaster conditions of a property and structures, which are important considerations when redeveloping a property. The county also recommends maintaining copies of the information in a storm-safe manner (e.g. a portable storage device such as a USB flash drive or CD). **Please note that not all of the items listed will be applicable to your property.**

The county maintains copies of many of these documents, but not all. In addition, the county is only required to retain records for a specified numbers of years. As such, please be proactive in obtaining records for your property. Contact the county at (941) 861-5000 to find out more information about obtaining copies of this information and please note there may be fees for information requests.

Ready Kit

<input type="checkbox"/>	Access easements to the bay or gulf associated with the property
<input type="checkbox"/>	Aerial photographs
<input type="checkbox"/>	Building permits
<input type="checkbox"/>	Coastal Setback Code variances/exceptions (Gulf Beach Setback Line & Pass Hazard Line)
<input type="checkbox"/>	Conservation Easements
<input type="checkbox"/>	Declarations of Restrictive Covenants
<input type="checkbox"/>	Elevation Certificate(s) by a licensed professional surveyor
<input type="checkbox"/>	Earthmoving permits
<input type="checkbox"/>	Florida Department of Environmental Protection (DEP) approvals for construction seaward of the Coastal Construction Control Line (CCCL)
<input type="checkbox"/>	Land Use changes (e.g. Special Exception, Rezoning)
<input type="checkbox"/>	Lateral Pedestrian Access Easements associated with the property
<input type="checkbox"/>	Myakka River Protection Zone (MRPZ) variances
<input type="checkbox"/>	Right-of-Way (ROW) Use permits
<input type="checkbox"/>	Photographs of existing property conditions and features (pre-disaster)
<input type="checkbox"/>	Survey (showing property boundaries, easements, flood zones, relevant control lines, mean high water line, wetlands, existing structures, etc.)
<input type="checkbox"/>	Tree permits
<input type="checkbox"/>	Water and Navigation Control Authority (WNCA) permits (for docks, fishing piers, shoreline protection structures, etc.)
<input type="checkbox"/>	Zoning Letters of Determination, and/or approvals by the Board of Zoning Appeals (BZA)
<input type="checkbox"/>	Applicable insurance policies
<input type="checkbox"/>	Building plans (if available/applicable)
<input type="checkbox"/>	Up to date/accurate property survey
<input type="checkbox"/>	Property Appraisers’ records for your property
<input type="checkbox"/>	Current property appraisal

Sarasota County Post-Disaster Residential Redevelopment Flowchart



IMPORTANT NOTES:

1. The process outlined in this flowchart is specific to the unincorporated areas of Sarasota County.
2. This flowchart assumes that a lot is "buildable" in accordance with the Zoning Regulations in effect at the time of proposed rebuilding post-disaster.
3. Rebuilding of structures non-conforming with respect to required zoning setbacks may require a variance from the Board of Zoning Appeals (BZA) in accordance with Article 8.3.1.b of the Zoning Regulations.
4. Redevelopment must be consistent with the Sarasota County Comprehensive Plan and the Code of Ordinances.

LIST OF ACRONYMS:

- MRPZ: Myakka River Protection Zone
- GBSL: Gulf Beach Setback Line
- PHL: Barrier Island Pass Twenty-Year Hazard Line
- CCCL: Coastal Construction Control Line
- FDEP: Florida Department of Environmental Protection