



# ACKNOWLEDGEMENT OF FLOODPLAIN REGULATIONS

This ACKNOWLEDGEMENT OF FLOODPLAIN REGULATIONS is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ ["Owner(s)"] of the property described below.

WHEREAS, the Owner is the record owner of the real property as described below, located in the Town of Fort Myers Beach in Lee County, Florida.

WHEREAS, the Owner has applied for a building permit on this property to place or improve a residential structure that contains a fully enclosed space below the base flood elevation (permit number: \_\_\_\_\_).

WHEREAS, the Owner agrees to the recording of this acknowledgement in the public records of Lee County and acknowledges that the following floodplain regulations are legally in force to the affected property, and that these floodplain regulations, as they may be amended from time to time, will affect the rights and obligations of the Owner and shall be binding on the Owner, their heirs, personal representatives, successors, or assigns.

I (WE) HEREBY ACKNOWLEDGE THE FOLLOWING:

1. The structure or part thereof to which these regulations apply, whose legal description is identified in attached proof of ownership, is located at: \_\_\_\_\_, Fort Myers Beach, Florida 33931, and is currently identified by Lee County as Strap Number \_\_\_\_\_.
2. The FEMA Flood Insurance Rate Map (FIRM) has identified this location as a Zone \_\_\_\_\_, with a base flood elevation of \_\_\_\_\_ feet (NAVD) above mean sea level according to the FIRM dated \_\_\_\_\_. Seaward of LiMWA or community-defined Coastal A Zone limit:  Yes  No Seaward of CCCL:  Yes  No
3. The floodplain regulations of the Town of Fort Myers Beach require that fully enclosed space below the base flood elevation may be used only for parking, building access, and storage; electrical, plumbing, and other utility connections are not permitted below the base flood elevation per Land Development Code § 6-111; the interior shall not be partitioned or finished into separate habitable rooms; air conditioned space is not allowed; all structural and non-structural components must use materials that are resistant to flood forces and deterioration caused by repeated inundations; and walls must be designed to allow for the entry and exit of floodwaters to equalize hydrostatic flood forces.
4. Any unauthorized conversion, alteration, modification, improvement, repair, or change in use of the permitted structure or part thereof may render the structure uninsurable by the National Flood Insurance Program or increase the cost for flood insurance commensurate with the increased risk.
5. Unauthorized conversion of an enclosure below the lowest floor of an elevated building for uses other than permitted uses, or the unauthorized conversion of an accessory structure for uses other than permitted uses, exposes occupants to increased risk of death and injury. The local jurisdiction issuing the Permit shall not be held liable for any increase in damage or injury to occupants. Unauthorized alterations or changes from the permitted improvements shall constitute a violation of the Fort Myers Beach Land Development Code. The Town of Fort Myers Beach may take any legal action, including but not limited to code enforcement actions resulting in fines and liens against all properties owned by the Owner(s), the forced removal of said alterations, to correct any violations, and any and all other enforcement actions as deemed appropriate by the Town.

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I, \_\_\_\_\_ (Property Owner#1), hereby certify that all answers to the questions in this acknowledgement and any supplementary information attached to and made part of this acknowledgement is honest and true.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Typed or printed name of Property Owner  
**STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_**

The foregoing instrument was certified and subscribed before me by means of \_\_ physical presence  
OR\_online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, \_\_ who is  
personally known to me OR \_\_ who has produced \_\_\_\_\_ as identification.

Seal \_\_\_\_\_ Notary Public Signature \_\_\_\_\_

I, \_\_\_\_\_ (Property Owner#2), hereby certify that all answers to the questions in this acknowledgement and any supplementary information attached to and made part of this acknowledgement is honest and true.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Typed or printed name of Property Owner  
**STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_**

The foregoing instrument was certified and subscribed before me by means of \_\_ physical presence  
OR\_online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, \_\_ who is  
personally known to me OR \_\_ who has produced \_\_\_\_\_ as identification.

Seal \_\_\_\_\_ Notary Public Signature \_\_\_\_\_