

Substantial Damage

Sample Letter to Notify Structure Owner of Determination

NOTICE OF SUBSTANTIAL DAMAGE DETERMINATION (RESIDENTIAL)

Dear [name of structure owner]:

The City of Floodville has reviewed your recent application for a permit to repair [*describe proposed improvement/addition*] for the existing residential structure located at [insert structure address], Floodville, NY 14056. These repairs are required as a result of flood damage from the storms of August 26–28, 2017.

The Department of Building Inspections has determined that this structure is located within a mapped Special Flood Hazard Area on the Flood Insurance Rate Map (FIRM), Panel 0150, with an effective date of June 19, 2008. As required by our floodplain management ordinance or building code, we have evaluated the proposed repairs and determined that the damage constitutes Substantial Damage for the structure. This determination is based on a comparison of the cost estimate of the proposed cost of repairs to the pre-damage market value of the structure (excluding land value). When the cost of repairs equals or exceeds 50 percent of the pre-damage market value of the structure, the damage is considered to be Substantial Damage under the requirements of the National Flood Insurance Program (NFIP) and the city's Floodplain Management Ordinance dated April 8, 2005.

As a result of this determination, you are required to bring the structure into compliance with the flood damage-resistant provisions of the City regulations and/or code [cite pertinent sections].

We would be pleased to meet with you and your designated representative (architect/builder) to discuss the requirements and potential options for bringing the structure into compliance. Several issues must be addressed to achieve compliance. The most significant requirement is that the lowest floor, as defined in the regulations/code, must be elevated to or above the base flood elevation (BFE) [or the elevation specified in the regulations/code] on the FIRM. You may wish to contact your insurance agent to understand how raising the lowest floor higher than the minimum required elevation can reduce NFIP flood insurance premiums.

Please resubmit your permit application along with plans and specifications that incorporate compliance measures. Construction activities that are undertaken without a proper permit are violations and may result in citations, fines, the removal of the non-compliant construction, or other legal action.

Sincerely,

Lisa Donaldson, Chief Inspector
Department of Building Inspections
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