

Ponce Inlet Residential Post-Disaster Buildback Program

FREQUENTLY ASKED QUESTIONS

PROGRAM BASICS

What is the Residential Post-Disaster Buildback Program?

The registration program is intended to allow the reconstruction of lawfully permitted, non-conforming residential structures that are damaged due to a terrorist act, accidental fire or natural disaster.

What does the registration do for me and my house?

The program guarantees you the right to rebuild your home the same way it was built.

Am I required to register?

No, the program is purely *optional*.

How do I know if my house is non-conforming?

Ponce Inlet staff will be happy to help you review your property information so that you can make an informed decision. You can either make an appointment or stop by the Planning & Development Department at Town Hall. If you live in a one-story home, simply bring in a copy of your property survey. If you live in a multi-story dwelling, also bring a copy of the floor plans. Staff will be able to tell from looking at these documents whether your residence conforms to current codes. And if you provide us with your address ahead of time, we will be able to look up your zoning and have the current requirements ready when you come in.

How do I know if I need to register?

In general, you may want to consider registering if:

- Your residence or condominium building is taller than 35 feet.
- You live in a residence that was built or permitted prior to May 1, 2005, which was when the Town's requirements for Floor Area Ratio and special height setbacks took effect. Multi-story houses may not comply with additional height setbacks on the front and sides.
- You live in a multi-story residence built right up or close to front and side setbacks.
- You live in a large house on a small lot.
- You live on a waterfront property. Setback measurements have changed over the years, and your waterfront setback may have been measured from a different point than is now required.

Does each condo unit owner have to apply?

No, your Condo Association or Manager may submit one application for the entire building on behalf of all the individual owners.

What if I am renting?

Only the owner of your property is responsible for registering it with the Town.

Can I register my dock or shed too?

The residential post-disaster buildback program applies to principal residential structures and accessory structures that are physically and structurally attached to them, such as decks, carports, and screen pool enclosures. It does not apply to detached accessory structures such as docks, sheds, above-ground pools, or detached garages and carports.

APPLICATION PROCESS**What is the cost to apply?**

There is no fee from the Town of Ponce Inlet for this program. However, the applicant is responsible for recording the issued Buildback Certificate with the Volusia County Clerk of Court and recording fees are determined by the Clerk's office.

How long does the registration process take?

The entire registration process should take no longer than 45 days. The actual length of time will vary depending on the completeness of your application and the volume of applications being reviewed at any given time. Staff will be able to review completed applications more quickly than those with information missing. Applications are reviewed on a first-come, first-served basis. Staff will notify you within five business days if additional information is needed to process your application.

I'm a part-time resident. Can someone apply on my behalf while I'm out of town?

Yes, the application can be submitted by someone else on your behalf, but you will need to provide notarized authorization for that person to do so. On page 1, Section 3 of the application form, you can provide the name and contact information for your representative. On page 2, Section 4 of the form, there is a space for your signature and for the Notary Public acknowledgement. Please be sure to sign this space only in the presence of the Notary Public.

What parts of the application do I need to fill out?

Only the first two pages and the top of the third. The remainder of the third page is for your information only, and lists the conditions under which a residential structure may be reconstructed under this program. The fourth page will be completed by staff, and is used to determine whether your residence may be non-conforming to current codes.

What if I can't find my deed, survey or floor plans?

If you purchased your home after April 8, 1988, you can get a copy of your deed online at www.clerk.org. If you are unable to obtain a copy of your deed, you may provide a copy of your property tax record as proof of ownership.

If you can't find your survey or floor plans, Town staff will search through the records available at Town Hall. However, if these records are not available, it will be necessary for you to have a new survey prepared for your property.

I only have an old survey – is that okay?

The age of the survey is not important – only that it is still accurate. An older survey will be accepted along with an affidavit stating that it accurately shows all structures on the property. However, Town staff may need to visit your property to confirm the information on the survey. If necessary, a staff member will contact you to arrange a date and time. Please be aware that this may lengthen the time it takes to issue your Buildback Certificate.

How do I know if I live in a flood zone?

You can view the official flood zone maps on the FEMA Map Service Center website at msc.fema.gov/portal. Flood zone maps are also available for review in the Planning & Development Department at Town Hall.

What if my home is below the base flood elevation?

Federal law requires damaged homes to be rebuilt above the floodplain. The Town's Buildback provisions only guarantee the same footprint, setbacks, and floor area. If your existing building is already above the Town's 35' foot height limit, it may be rebuilt above the 35', as measured from the new finished grade elevation above the base flood elevation, without losing any habitable space. If the building currently does not exceed the 35' height limit, then it still cannot exceed the limit after being raised up. However, for multi-family buildings, the new building can still keep the same number of units, provided the dimensional requirements of its zoning district can still be met.

After my application has been reviewed, do I get something in writing from the Town?

Yes, you will receive a certificate listing the non-conformities registered and the conditions under which your home may be built back after a disaster. You will need to record the certificate with the Volusia County Clerk of Court and provide a copy to the Town, after which the registration will become effective.