



**DECLARATION OF LAND RESTRICTION  
(NONCONVERSION AGREEMENT)**

This DECLARATION made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ (“Owner”) having an address at: \_\_\_\_\_

**WITNESSETH:**

WHEREAS, the Owner is the record owner of all real property located at: \_\_\_\_\_, in Pinellas County, Florida, designated in the Pinellas County Property Appraiser as Parcel Identification No. \_\_\_\_\_, and having the following legal description: \_\_\_\_\_

and being the same property acquired by the Owner by deed dated \_\_\_\_\_, 20\_\_\_\_, and recorded in the Official Records of \_\_\_\_\_ County, Florida at O.R Book \_\_\_\_\_, Page \_\_\_\_\_;

WHEREAS, the Owner has applied for a permit to construct a structure on that property and:

1. It is identified as Permit Number \_\_\_\_\_ (“Permit”);
2. It is located in a flood hazard area identified on Flood Insurance Rate Map Panel Number \_\_\_\_\_;
3. It is located in Flood Zone \_\_\_\_\_ with Base Flood Elevation of \_\_\_\_\_ feet and Design Flood Elevation of \_\_\_\_\_ NAVD
4. It is designated to conform to the requirements of the City of Clearwater's Floodplain Management Ordinance; Chapter 51 of the Clearwater Community Development Code; and the Florida Building Code; and
5. If unauthorized improvements, modifications, alterations, or conversions are made to it in the future, the structure could be made noncompliant by such unauthorized actions, including such actions by future owners

WHEREAS, the Owner agrees to record this DECLARATION OF LAND RESTRICTION (NONCONVERSION AGREEMENT) on the deed of the property in the above-cited Official Records and certifies, accepts, and declares that the following covenants, conditions, and restrictions are placed on the affected property as a condition of granting the Permit, and that the affects, rights, and obligations of the Owner shall be binding on the Owner, his heirs, personal representatives, successors, and assigns.

NOW THEREFORE, the Owner agrees that the permitted structure shall be designed in accordance with the Florida Building Code and is as subject to the conditions as follows:

1. The structure or part thereof to which these conditions apply is: \_\_\_\_\_
2. All walls, ceilings and floors below the Design Flood Elevation shall be unfinished or constructed of flood resistant materials. Mechanical, electrical, and plumbing devices shall not be installed below the Lowest Floor/Design Flood Elevation. (For a complete set of requirements, refer to City of Clearwater's Floodplain Management Ordinance and Chapter 51 of the Clearwater Community Development Code).
3. The walls of the enclosed areas below the Lowest Floor/Design Flood Elevation shall be equipped and remain equipped with flood openings, as shown on the building plans, which shall be functional without human intervention. The flood openings shall not be blocked, covered, closed or modified in any way that would alter the intended performance to allow floodwaters to automatically enter and exit.
4. The use of flood prone enclosed areas below the Lowest Floor/Design Flood Elevation shall be limited to parking of vehicles, storage, and building access. Any other use shall be considered a violation of the City of Clearwater's Floodplain Management Ordinance and Chapter 51 of the Clearwater Community Development Code.

