

NONCONVERSION AGREEMENT

Date of Application and Agreement: _____.

Application is hereby made for a Permit , Conditioned Permit , or variance , to build a _____

_____ ,
which does not conform to the elevation requirements of the Floodplain Management Ordinance of Calvert County.

Property Owner: _____

Address: _____

Phone No.: _____

Property Description: _____

Deed Reference: Liber _____ Folio _____ Dated _____

Tax Map _____ Parcel _____ Block _____ Section _____ Lot _____

Flood Protection Elevation at site is _____ feet, NGVD

In consideration for the granting of a Permit, Conditioned Permit or Variance for the above structure which does not conform to the requirements of the Floodplain Management Ordinance of Calvert County, the Property Owner agrees to the following:

1. That the enclosed area, if permitted, will be used solely for parking of vehicles, storage, or access to the building and will never be used for human habitation without first becoming fully compliant with the Floodplain Management Ordinance in effect at the time of conversion.
2. That all interior walls, ceilings, and floors below the Flood Protection Elevation will be unfinished and constructed of flood resistant materials.
3. That no electrical, mechanical, or plumbing devices will be installed below the Flood Protection Elevation.
4. That the enclosed area will be supplied with at least two water equalizing vents of at least one square inch of opening for every square foot of enclosed area. The bottom of the vents may be no more than one foot above grade and they must be on at least two different walls. The openings may be equipped with screens, louvers, valves, or other coverings, provided that they permit the automatic entry and exist of floodwaters.

5. That the requested structure may increase the risk to life and property and may result in increased premium rates for National Flood Insurance.
6. That the conditions above must be recorded on the deed to the property or on a Memorandum of Land Restriction, and shall run with and bind on the land to the heirs, assigns, or successors of the applicant.
7. That any variation in construction beyond what is permitted shall constitute a violation and be abatable as such.
8. That this Nonconversion Agreement becomes part of Permit # _____.

Signature of Property Owner: _____

Date: _____

Witness: _____

At a minimum, the statement "This structure has been allowed without conforming to the Floodplain Management Ordinance of Calvert County. No conversion to habitable space is to occur unless the enclosed building area below the Flood Protection Elevation becomes fully compliant to this Ordinance. At this site, the Flood Protection Elevation is _____ feet above mean sea level, National Geodetic Vertical Datum" has been recorded on the deed to the above property or on a Memorandum of Land Restriction.

Signature, Recorder of Deeds: _____

Date: _____

Based on the above conditions being met and proper recordation in the land records of Calvert County a permit may be issued for an enclosed structure which is not elevated in conformance to the Floodplain Management Ordinance of Calvert County.

Signature, Permitting Official: _____

Date: _____

Note: This agreement must be used whenever an enclosed structure is requested to be built or substantially improved within the 100-year floodplain below the Flood Protection Elevation. This Agreement must be signed whenever Conditioned Permits or Variances are to be issued, for example, garages and accessory structures which exceed the 300 square foot exemption and foundation enclosures which exceed 5 ft. in height.