



## Memorandum

**Memorandum No: 24-113**

**Date:** July 30, 2024

**To:** Honorable Mayor, Vice Mayor, and Commissioners

**From:** Susan Grant, Acting City Manager *Susan Grant*

**Re:** **April 2023 Flood Event – Substantial Damage Determination Notice**

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Participation in the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) provides a municipality and their property owners access to federally backed flood insurance, grant funding, disaster assistance funding, and the ability to participate in the Community Rating System (CRS) flood insurance discount program.

As you know, the City of Fort Lauderdale experienced a historic flood event in April of 2023 causing damage to many structures in the city. To comply with FEMA regulations, substantially damaged buildings must be brought into compliance. The City's Floodplain Manager, Mark Hagerty, joined the City in October 2023, and has been working with FEMA to close the outstanding compliance file from the April 2023 flood event.

Compliance following a flood event requires substantially damaged buildings to be elevated above the Base Flood Elevation (BFE) or be demolished. Substantial Damage is defined by ordinance C-23-46 as 'Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the building or structure before the damage occurred.

In conjunction with Public Works, the Police Department, the Fire Department and Thompson Consulting Services, the Development Services Department performed site inspections and prepared substantial damage reports for 3,787 buildings in the areas affected by the flooding.

The inspections revealed 22 buildings met the criteria of substantially damaged. One of which was City Hall. A permit for demolition of the former City Hall building was issued on July 2, 2024. Compliance action remains outstanding on the remaining 21 buildings.

To continue the process of compliance, notification letters to the remaining building owners advising them of the requirement to comply were mailed on Friday, July 26, 2024. Nineteen of the twenty-one effected buildings are owned by two separate corporations and two are owned by individual neighbors. Attached is a sample of the notification letter and report that was sent related to the City Hall building.

FEMA has agreed to the following compliance process. The building owners will have 60 days from the date of the notification to begin the compliance process. If the building owner fails to contact the Floodplain Manager within 60 days, a second notification will be issued providing an additional 30 days to begin the compliance process.

Once 90 days has elapsed, any remaining buildings that have not begun the compliance process, will be forwarded to the Building Construction Enforcement Division of DSD for the issuance of violations that will follow the Florida Statute (FS) 162 code enforcement process to obtain compliance.

On June 6, 2023, the City Commission created funding through Resolution 23-110 to cover the cost of local permit fees for the natural disaster damage repair. Permit fee assistance will be available on a first come, first served basis.

As always DSD is committed to assisting our neighbors through the building permit and compliance process to remain compliant with FEMA NFIP requirements. The compliance process was devised to protect the City's good standing in the NFIP and to remain eligible for grant and insurance discount funding.

If you have any inquiries regarding the Substantial Damage Determination Notice, please contact Alfred Battle, Acting Director of Development Services Department, at (954) 828-8952 or [ABattle@fortlauderdale.gov](mailto:ABattle@fortlauderdale.gov).

Attachments:

Sample Notification Letter

Damage Report for City Hall Building

c: Anthony G. Fajardo, Assistant City Manager  
Ben Rogers, Acting Assistant City Manager  
Laura Reece, Acting Assistant City Manager  
Christopher Cooper, Acting Assistant City Manager  
Thomas Ansbro, City Attorney  
David R. Soloman, City Clerk  
Patrick Reilly, City Auditor  
Department Directors  
CMO Managers



7/26/2024

Re: Substantial Damage Determination for ,

Dear ,

As you know, the City of Fort Lauderdale experienced a historic flood event in April of 2023 causing substantial damage to many structures in the city. To comply with Federal Emergency Management Agency (FEMA) regulations, substantially damaged buildings must be brought into compliance.

To facilitate these requirements, the City of Fort Lauderdale, Building Services Division, in conjunction with Thompson Consulting Services, has reviewed the damage caused by the April 2023 flood to the building at the address listed above. It has been determined that the building meets the threshold of **substantially damaged** per Fort Lauderdale Flood Ordinance C-23-46 Section 14-1.

Attached to this letter you will find the report generated by Thompson demonstrating the calculated percentage of damage the building incurred. The letter also outlines additional information and steps that can be taken to bring the building into compliance. The City of Fort Lauderdale is here to help in any way possible and we look forward to working collaboratively to resolve this issue.

### **Flood Zone Information**

The existing building is located in Flood Zone with a Base Flood Elevation (BFE) of located on Flood Insurance Rate Map (FIRM) panel number .

### **Definition of Substantial Damage**

Substantial Damage is defined by Ordinance C-23-46 as 'Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the building or structure before the damage occurred.' When the resulting ratio equals or exceeds 50 percent, the existing building must be brought into compliance with the floodplain management regulations for new buildings.

The formula used to calculate substantial damage is the Total Estimated Damages divided by the Computed Actual Cash value of the building prior to



any damage equals the Percent Damaged. See page 5 on the attached Substantial Damage Estimator Report.

$$\textit{Total Estimated Damages} \div \textit{Computed Actual Cash Value} = \textit{Percent Damaged}$$

### **Compliance Requirements**

To resolve this determination, a permit must be obtained to bring the building into compliance with all applicable code requirements, including building elevations that meet the current regulatory requirements. Demolition of the damaged building is an alternate method of compliance.

### **Permit Fee Assistance**

The City Commission has created funding to cover the cost of the local permit fees for the natural disaster damage repair. Permit fee assistance will be available on a first come, first served basis.

### **Permit Application Deadline**

Permit applications must be received within 60 days of the date of this notice. Failure to respond within the 60-day timeline could result in the issuance of a notice of violation.

### **Contact Information**

If you have any questions or concerns related to the report, the requirements for compliance, or the time outlined in this letter, please contact me at (954) 828-6133 or by email at mhagerty@fortlauderdale.gov. If you wish to provide documentation to dispute the determination of substantial damage, we will review any data that you have to come to a reasonable conclusion on compliance with the required regulations.

Sincerely,

Mark Hagerty CFM, LEED AP  
Floodplain Manager  
City of Fort Lauderdale  
Building Services Division

## Substantial Damage Estimator

### Subdivision

<b>Subdivision</b>	FR Olivers	<b>Elev. of Lowest Floor</b>	
<b>Parcel #</b>	021140030		ft.
<b>Lot #</b>	504210140030	<b>Datum</b>	NAD 1983

### Community

<b>NFIP Community Name</b>	FORT LAUDERDALE, CITY OF		
<b>Latitude</b>	26.326800	<b>Longitude</b>	-80.143245

### Structure Address

<b>Owner's Name</b>	FORT LAUDERDALE, CITY OF, CITY OF
<b>Street Address</b>	100 N Andrews Avenue FORT LAUDERDALE
<b>City</b>	
<b>County/Parish</b>	Broward
<b>State</b>	Florida
<b>Zip</b>	33301
<b>Phone</b>	(954) 828-5000

### Mailing Address

<b>Owner's Name</b>	FORT LAUDERDALE, CITY OF
<b>Street Address</b>	528 NW 2 Street
<b>City</b>	FORT LAUDERDALE
<b>County/Parish</b>	Broward
<b>State</b>	Florida
<b>Zip</b>	33311
<b>Phone</b>	(954) 828-5000
<b>Care Of</b>	



(Default Image)



(Additional Image)

# Substantial Damage Estimator

## Structure/Damage/NFIP Information

<b>Year of Construction</b>	1966	<b>Cause of Damage</b>	Flood
<b>Date of Damage</b>	04/28/2023	<b>Duration of Flood</b>	72 Hours
<b>Structure Information</b>	Damages based on WSP assessment June 2023.		
<b>Number Of Stories</b>	2 thru 4	<b>Structure Use</b>	Municipal Building
<b>Sprinkler</b>	Yes	<b>Structure Type</b>	Non-Residential
<b>Conveyance</b>	Yes	<b>Flood Elevation</b>	3.00
<b>Quality</b>	Good	<b>Est. Depth of Flood Above Lowest Floor</b>	7.50
<b>Date of Assessment</b>	06/14/2023		
<b>Inspector Name</b>	CSA	<b>NFIP Community ID</b>	
<b>Inspector Phone</b>	(305) 461-5484	<b>125105</b>	

<b>Firm Panel #</b>	<b>Suffix</b>	<b>Date of FIRM Panel</b>	<b>Firm Zone</b>	<b>BFE</b>	<b>Regulatory Floodway</b>
557	H	08/18/2014	AH	5.00	No

### Community Specific Information

### Custom Field

**Custom Field Name**

Custom Field 1

**Custom Field Value**

### Custom Field

**Custom Field Name**

Custom Field 2

**Custom Field Value**

### Custom Field

**Custom Field Name**

Custom Field 3

**Custom Field Value**

## Substantial Damage Estimator

### Square Footage

<b>Total Sq. Ft.</b> 106074.00	<b>Geographic Adjustment</b> 1	<b>Base Cost Per Sq. Ft.</b> \$64.82
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### Cost Adjustments

Adjustments	Quantity	Unit	Unit Cost	Adjustment Cost
Windows/Skylights	0	Ea	\$0.00	\$0.00
Wall Covering	0	Sq Ft	\$0.00	\$0.00
Conveyance System	0	Ea	\$0.00	\$0.00
Built-In Security/Communications	0	Ea	\$0.00	\$0.00
Built-In Equipment	0	Ea	\$0.00	\$0.00
Roofing	0	Sq Ft	\$0.00	\$0.00

### Additional Adjustments

	0	Sq Ft	\$0.00	\$0.00
	0	Sq Ft	\$0.00	\$0.00
	0	Sq Ft	\$0.00	\$0.00
	0	Sq Ft	\$0.00	\$0.00
	0	Sq Ft	\$0.00	\$0.00
	0	Sq Ft	\$0.00	\$0.00
	0	Sq Ft	\$0.00	\$0.00

<b>Total Adjustments *</b>	\$0.00
<b>Total Replacement Cost</b>	\$6,875,716.68
<b>Replacement Cost Per Square Foot</b>	\$64.82

\* Total Adjustment calculation includes the Geographical Adjustment.

### Computed Actual Cash Value

<b>Cost Data Reference</b>	<b>Cost Data Date</b> 07/11/2024
<b>Depreciation Determination</b> 5 - Above Average Condition	
<b>Depreciation Percentage</b> 13.20 %	
<b>Computed Actual Cash Value</b> \$5,968,122.08	
<b>Other Depreciation Explanation</b>	

## Substantial Damage Estimator

### Element Percentages

Element	Percent Damaged	Element Percentage	Element Cost	Damage Values
Foundation	40	3.7	\$254,401.52	\$101,760.61
Superstructure	25	30.8	\$2,117,720.74	\$529,430.18
Roof Covering	0	1.9	\$130,638.62	\$0.00
Plumbing	50	4.7	\$323,158.68	\$161,579.34
Electrical	90	26.2	\$1,801,437.77	\$1,621,293.99
HVAC	90	11.2	\$770,080.27	\$693,072.24
Interiors	30	21.5	\$1,478,279.09	\$443,483.73
		<b>100 %</b>	<b>Total Replacement Cost</b>	<b>Total Estimated Damages</b>
			<b>\$6,875,716.68</b>	<b>\$3,550,620.09</b>



## Substantial Damage Estimator

### Percent Damaged

**Basis for Value of Structure**

Professional Market Appraisal

**Percent Damaged**

51.6 %

**Basis for Cost of Repairs**

Computed Damages

**Substantially Damaged**

### Damage Summary

<b>Replacement Cost</b>	\$6,875,716.68	<b>Total Estimated Damages</b>	\$3,550,620.09
<b>Depreciation Percentage</b>	13.20 %	<b>Percent of Existing Improvements and Repairs Pre-Disaster</b>	0.0 %
<b>Computed Actual Cash Value</b>	\$5,968,122.08	<b>Repair/Reconstruction Percentage</b>	59.5 %

\* Per FEMA Publication 213, Actual Cash Value may be used as Market Value.

### Optional User Entered Data

**Professional Market Appraisal**

\$6,876,520.00

**Tax Value****Tax Assessed Value** \$4,448,833.00**Factor Adjustment** 1.00**Adjusted Tax Assessed Value** \$4,448,833.00**Contractor Estimate**

\$0.00

**Community Estimate**

\$0.00

**Authorized Local Official :**\_\_\_\_\_  
Signature\_\_\_\_\_  
(Date)**Authorized Local Official :**\_\_\_\_\_  
Print Name\_\_\_\_\_  
(Date)