

FOR IMMEDIATE RELEASE

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Lee County building damage assessments, permits and inspection guidelines

Fort Myers, FL, Oct. 10, 2022 – Due to both public and private damage generated by Hurricane Ian, Unincorporated Lee County is temporarily altering routine construction permitting and inspections for rebuilding.

Damage assessment:

- Unincorporated Lee County, following the National Flood Insurance Program (NFIP) requirements, has the responsibility to determine "substantial damage" and "substantial improvement," and has implemented the procedures to do so.
 - **Substantial damage** is defined as damage of any origin sustained by a structure whereby the cost of restoring the structure to its "before damage" condition would equal or exceed 50% of the market value of the structure. *(Note: The cost of the repairs must include all costs necessary to fully repair the structure to its "before damage" condition.)*
 - **Substantial improvement** is defined as any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure (before any improvements are performed).
 - Historic structures may be exempt from these requirements if the compliance would threaten the structure's continued eligibility for historic designation.
- These laws are required by the NFIP to protect lives and investment from future flood damages. The county must enforce these laws in order for federally-backed flood insurance to be made available to Unincorporated Lee County residents and property owners.

FEMA 50% rule:

- This is in effect and will be enforced during review.
- **Basic rule:** If the cost of improvements or the cost to repair the damage exceeds 50% of the market value of the building, it must be brought up to current floodplain management standards. Visit www.leegov.com/dcd/flood/building/improvements or www.fema.gov/sites/default/files/2020-07/fema_p213_08232018.pdf for more information.

Permitting: Phase II of the Disaster Recovery procedures extends permitting, review and inspection services to all record types regardless of damage, **while ensuring those with hurricane damage are given priority.**

Please review the [Phase II Disaster Recovery Permitting Requirements](#) and the [Guides and Forms webpage](#) for information about Permitting Requirements by record type.

1. Work not requiring a permit:

- Removal of debris from on or inside a structure
- Minor demolition to prevent injury or prevent further damage to buildings
- Structural shoring and bracing
- Replacement of broken glass within existing framing for windows and doors
- Repair/Replacement of soffit and gutters
- Roof Shingle replacement of one square of shingles (10-foot by 10-foot area, or less)
- Minor non-structural repairs made to the exterior of structures
- Repair of minor water leaks that do not involve structural, mechanical or electrical systems
- Previously permitted fences destroyed due to the storm may be re-installed, like for like, in the exact same location

2. Minor damage

- Permits for minor damage, consisting of roof covering, screen enclosures, wood decks, doors, windows and other non-structural components may be obtained upon the submission of an itemized list from the contractor or owner-builder stating the items to be repaired, with an accurate cost estimate of the repairs. It will be the responsibility of the owner-builder or contractor to request the required inspections from the Lee County Inspections Office at 239-533-8997 or use an approved architect or engineer to perform the inspections and provide inspection reports to the Lee County Building Inspections Office.

3. Major damage

- Permits for minimal structural components such as damaged glass rooms, trusses on single family houses, cladding (roof and wall sheathing) and non-structural components, including mechanical (air conditioning), electrical and insulation, may be issued to a contractor or owner-builder upon submission of an itemized list signed and sealed by an approved architect or engineer.
- Considered Substantial Damage per FEMA guidelines, requiring a more complex permit review process described here:
www.leegov.com/dcd/flood/building/improvements.

4. Major structural damage

- Permits for collapsed roofing systems, destroyed walls, foundation damage, damage to beams and other major structural components, will only be issued upon submission of detailed construction drawings prepared and sealed by an approved architect or engineer.
- Considered Substantial Damage per FEMA guidelines, requiring a more complex permit review process described here:
www.leegov.com/dcd/flood/building/improvements.

Expired permits/permits due to expire:

- Existing permitting records (all record types) that have an expiration date of Sept. 26 through Oct. 31, 2022, will be auto-extended, with a new expiration date of Nov. 1, 2022 and is subject to further extension.

Inspections:

- All inspection requests are being accepted at this time, with **priority being given to hurricane related repairs.**
- It will be the responsibility of the contractor or owner-builder to request the required inspections, based on the approved scope of work. The use of an approved private provider inspection firm to perform the necessary inspections and provide inspection reports to the Lee County Building Inspections Office is acceptable. Email inspections@leegov.com.
- Inspections can be scheduled via [eConnect/ACA](#) or by phone at 239-533-8997.
- ***Inspections must be scheduled by 5 p.m. for next business day inspections. Lee County is temporarily suspending same-day inspection scheduling.***

Tips for rebuilding:

- Homeowners may perform their own repairs per [state statute 489.103](#).
- Anyone hired to do repairs for the homeowner must be a properly licensed contractor. The homeowner should visit the Florida Department of Business & Professional Regulation website at www.myfloridalicense.com or contact the Lee County Contractor Licensing Office at ContractorLicensing@leegov.com, to assure the contractor is properly licensed to perform the work being requested.
- Getting a permit for permanent repairs will help prevent post-storm scams and price-gouging. Your community's permitting process can help ensure that repairmen are licensed and performing repairs to code.

Please note: These procedures are designed to facilitate permitting during the aftermath of a major catastrophic event. Changes may occur, depending on circumstances.

Hurricane Ian recovery updates and resources can be found from Lee County government by following @Lee County Government on Facebook, www.facebook.com/leecountyflbocc.

More information is available at www.leegov.com/storm.