

The News of the Home Builders Association of West Florida

CORNERSTONE

August 2014

HOME BUILDERS ASSOCIATION
OF WEST FLORIDA

H O M E

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E X P O

August 22-24 at the Pensacola Bay Center

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Fiesta Seafood Grille at the Pensacola Seafood Festival

with guest appearances by Florida Blue Celebrity Chef

Saturday, September 27

- 1 pmHemingway's
- 2 pm.....V. Paul's
- 3 pmCulinary Productions
- 4 pmJackson's

Sunday, September 28

- 1 pmPensacola Cooks
- 2 pmPortabello Market
- 3 pmSavor...Pensacola



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Keith Furrow, *Pensacola Association of Realtors Ex Officio*

CORNERSTONE

The official magazine of the
Home Builders Association of West Florida



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In This Issue

CORNERSTONE



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UPDATE YOUR HOME SAFELY WITH A CERTIFIED REMODELER

Your client made the decision to remodel the outdated kitchen and living room of their home. But if they live in a house built before 1978, a federal law regulating the removal of lead paint will affect the home remodeling project if they hire a professional remodeler.

In 1978, the use of lead paint was officially banned from residential construction. Before that, however, lead paint was used in more than 38 million homes, according to the U.S. Environmental Protection Agency (EPA).

Since 2010, contractors performing renovation, repair and painting projects that disturb lead-based paint in homes built before 1978 have been required to be trained and then certified by EPA and must follow specific work practices to prevent lead contamination. Make sure the home is tested for the presence of lead-based paint before you begin any work.

The Dangers of Lead Paint

During a renovation or remodel, lead-paint dust can fill the air and be inhaled. Small children could ingest lead paint chips that fall from the wall. For young children, lead poisoning can cause learning disabilities, hearing loss and behavior problems. In adults, lead poisoning can lead to hypertension and high blood pressure. Pregnant women run the risk of passing the poison on to their unborn child.

What are Lead-Safe Work Practices?

EPA has a free brochure on its website called "Renovate Right" that provides guidance to home owners and contractors about the safe removal of lead paint. An EPA-certified contractor will follow these specific work practices:

Contain the work area so that dust and debris do not escape. Warning signs will be put up, and heavy-duty plastic and tape will seal off doors and heating and cooling system vents, and also cover the floors and any furniture that cannot be moved.

Minimize dust. There is no way to eliminate dust, but some paint removal methods create less dust than others. Some examples include using water to mist areas before sanding or scraping, scoring paint before separating components, and prying and pulling apart components instead of breaking them. Methods that generate large amounts of dust and therefore should not be used include open flame burning or torching, sanding, grinding, planing, needle gunning, blasting with power tools and equipment not equipped with a shroud and high efficiency particulate air (HEPA) filter vacuum attachment, or using a heat gun at temperatures greater than 1100°F.

Clean up thoroughly. When all the work is done, and before taking down any plastic that isolates the work area from the rest of the home, the area should be sanitized using special cleaning methods. These methods include using a HEPA vacuum to clean up dust and debris on all surfaces, followed by wet mopping with plenty of water.

President's Message



NEWMAN RODGERS

“Since 2010, contractors performing renovation, repair and painting projects that disturb lead-based paint in homes built before 1978 have been required to be trained and then certified by EPA”

Auxiliary Council Host Orientation for New Member Involvement



Wilma Shorthall & Carmen Handrahan

The Auxiliary Council, led by Chair Wilma Shortall of Primary Residential Mortgage, hosted an orientation breakfast for its new council members. The breakfast, held at the new Egg and I on Davis Hwy. on July 8th, was an important step to engage the new members and give them an opportunity to get involved.

Key Goals of the Meeting:

- Review the history, mission, current focus of the Auxiliary Council
- Identify their roles and responsibilities as a Council Member
- Review pertinent parts of the Council/Board and what its purpose is
- Establish a connection with other members of the Auxiliary

If you are interested in becoming a member of the Auxiliary Council, please contact Vicki Pelletier at 476-0318.



**GET INVOLVED
IN HBA
COUNCILS &
COMMITTEES!**



- Auxiliary Council**
*Meet on the 2nd Tuesday
of each month.*
- Custom Builders Council**
Meet Quarterly
- Green Building Council**
*Meet on the last Wednesday
of each month.*
- Membership Committee**
*Meet on the 3rd Wednesday
of each month.*
- Board of Directors**
*Meet on the 3rd Tuesday
of each month.*

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ISSUE**

**September
2014**

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Governor Rick Scott Signs Law Governing Energy Ratings

Florida Governor Rick Scott signed into law HB 7147 that reforms the state's law governing energy ratings.

Previously Florida law recognized the Residential Energy Services Network (RESNET), the Commercial Energy Services Network (COMNET), the Building Performance Institute (BPI), and the Florida Solar Energy Center (FSEC) as rating systems in the state.

The law created an issue because BPI was claiming state endorsement of their home energy rating program and was using the DOE Home Energy Score as their energy rating software program. In addition the law limited the number of programs that could be recognized in the state.

Rather than picking winners, the new law instead defines what a building energy rating system in the state should include. The law struck reference to BPI, COMNET, FSEC and RESNET and instead defined a building energy rating system as:

For purposes of this part: (3) "Building energy-efficiency rating system" means a whole building energy evaluation system that provides a reliable and scientifically-based analysis of a building's energy consumption or energy features and allows a comparison to similar building types in similar climate zones where applicable. Specifically, the rating system shall use standard calculations, formulas, and scoring methods; be applicable nation-

ally; compare a building to a clearly defined and researched baseline or benchmark; require qualified professionals to conduct the rating or assessment; and provide a labeling and recognition program with specific criteria or levels.

Residential program benchmarks for new construction must be consistent with national building standards. Residential building program benchmarks for existing construction must be consistent with national home energy rating standards.

The building energy-efficiency rating system shall require at least one level of oversight performed by an organized and balanced group of professionals with subject matter expertise in energy efficiency, energy rating, and evaluation methods.

There is a national consensus standard for home energy ratings, ANSI-RESNET 301-14. The ANSI home energy rating standard's benchmark is based on the International Energy Conservation Code. RESNET's national home energy rating standard incorporates the American National Consensus Standard. With this being the case the RESNET home energy rating standard complies with the new Florida law for the rating of new and existing homes.



The Home Energy Score's benchmark is not based upon a building energy code. This would mean that the software program would not qualify for the rating of new homes under the revised Florida law. Neither BPI's home energy rating program nor the Home Energy Score are based on a recognized national consensus home energy rating standard. These programs would need to incorporate the national ANSI home energy rating standard to be recognized in Florida.

The legislation was a consensus document developed by RESNET, the Florida Home Builders Association and the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE).

“Rather than picking winners, the new law instead defines what a building energy rating system in the state should include.”

South Pushes Nationwide Housing Starts Down 9.3 Percent in June

Nationwide housing production fell 9.3 percent to a seasonally adjusted annual rate of 893,000 units in June, according to newly released figures from the U.S. Department of Housing and Urban Development and the U.S. Census Bureau.

The drop was due primarily to a nearly 30 percent decline in the South. All other regions posted monthly gains.

"A modest 2.6 percent increase in single-family permits falls in line with the general optimism that we are hearing from our builders," said Kevin Kelly, chairman of the National Association of Home Builders (NAHB) and a home builder and developer from Wilmington, Del.

Single-family housing starts were down 9 percent to a seasonally adjusted annual rate of 575,000 units in June, while multifamily production fell 9.9 percent to 318,000 units.

Regionally in June, com-

bined single- and multifamily housing production rose in the Northeast, the Midwest and the West, with respective gains of 14.1 percent, 28.1 percent and 2.6 percent. Total production fell by 29.6 percent in the South, the nation's largest region.

"Take away the South and nationwide housing starts would have been in positive territory this month," said NAHB Chief Economist David Crowe. "This sharp regional decline could be due in part to lots and labor shortages, which are particularly acute in that part of the country. However, the general direction of housing production is trending upward, and we expect 2014 to be a

positive year."

Issuance of building permits registered a 4.2 percent decline to a seasonally adjusted annual rate of 963,000 units in June. Multifamily permits dropped 14.9 percent to 332,000 units while single-family permits increased 2.6 percent to 631,000 units.

The Northeast, South and West registered overall permit losses of 15.5 percent, 6.3 percent and 1.8 percent, respectively, while the Midwest posted a 6.6 percent gain.

"The drop was due primarily to a nearly 30 percent decline in the South. All other regions posted monthly gains."

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NAHB's BuilderBooks Launches Redesigned Website

BuilderBooks, the book publishing arm of the National Association of Home Builders (NAHB), revealed its newly redesigned website, BuilderBooks.com.

The site recently underwent a makeover to improve its look, feel and functionality. The revamped site offers easy-to-navigate access to all of the BuilderBooks titles, as well as an improved search function. Other new features include mobile capability, the ability to compare products, social media tools like "Share with a Friend," and wish lists.

In addition to the site improvements, BuilderBooks continues to offer a variety of attractive services and discounts:

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STATEMENT FROM NAHB CHAIRMAN KEVIN KELLY ON SUPREME COURT GREENHOUSE GAS RULING

Kevin Kelly, chairman of the National Association of Home Builders (NAHB) and a home builder and developer from Wilmington, Del., issued the following statement on today's U.S. Supreme Court ruling regarding the regulation of greenhouse gas emissions:

"NAHB is pleased that the U.S. Supreme Court has reined in the EPA's authority under the Clean Air Act to regulate greenhouse gas emissions from stationary sources. Because of the way the EPA interpreted the statute, the agency sought to treat apartment complexes as if they are power plants. That makes absolutely no sense and would have dealt a major setback to the housing recovery. Today's verdict strikes an important blow against federal agencies overreaching their authority."

STATEMENT FROM NAHB CHAIRMAN KEVIN KELLY ON FHFA PROPOSAL FOR PRIVATE MORTGAGE INSURANCE COMPANIES

Kevin Kelly, chairman of the National Association of Home Builders (NAHB) and a home builder and developer from Wilmington, Del., issued the following statement on the Federal Housing Finance Agency's (FHFA) draft eligibility requirements that private mortgage insurance companies would have to meet in order to insure loans sold to or guaranteed by Fannie Mae and Freddie Mac:

"NAHB is concerned that this proposal could increase the cost and impede the availability of private mortgage insurance at a time when the housing recovery remains fragile. FHFA has provided 60 days to comment on this proposal and NAHB intends to respond. Credit conditions are already extremely tight for qualified home borrowers, particularly those who do not have pristine credit scores. FHFA needs to take great care that these changes are implemented in a careful manner to avoid any unintended consequences that would shut creditworthy buyers out of the housing market."



NAHB CHAIRMAN
KEVIN KELLY

HBA

PARTICIPATING CHAPTERS

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To access the discount pricing, register with NPP. Signing up is easy.

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- Go to www.mynpp.com. Click "Join Now".
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- Select "Residential" from the Category dropdown menu.
- Select "HBPP" from the Association dropdown menu.
- Complete the registration form.

For more information about the program, feel free to contact NPP:

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Since 2007 many HBA Chapters have partnered with NPP to offer members discount pricing on several products and services. NPP negotiates the rates, and makes them available to HBA members throughout the country. This program is entirely free, and there is no obligation to purchase. To access the savings, register with NPP at www.mynpp.com. Included among the discounts available to participating HBA Chapter members:

verizon

- Corporate Discount - 22% off all wireless calling plans \$34.99 & higher and free activation
- Employee Discount - 18% off wireless calling plans \$34.99 and higher
- Select Accessory Discount - 35% (corporate) and 25% (employee/family)
- \$20 Unlimited Wireless E-mail feature on corporate lines
- Variable discounts on phones

Verizon Eligibility Requirements: Each Member must be a construction company, heavy highway, concrete, remodeling company or other trade craftsman (i.e.: a subcontractor such as an electrician or plumber whose primary trade is within the construction industry).

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If you do business with previous members, please give them a call and reinforce the value of membership as well as the importance of Members Doing Business with Members.

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A WELL-FRAMED APPROACH TO PROFITABLE ENERGY EFFICIENCY

Changing codes, growth in the economy and housing starts – how's a builder to profit from it all? Well, a bottom-up switch to Norbord is a sound first move.



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HOME BUILDERS ASSOCIATION
OF WEST FLORIDA

HOME & PRODUCT EXPO

NEW IDEAS AND INNOVATION ON DISPLAY AT THE 2014 HOME & PRODUCT EXPO

A much anticipated event for area homeowners and homebuyers, the 2014 West Florida Home & Product Expo, set for August 22-24, at the Pensacola Bay Center.

Over 20,000 square-feet of building, remodeling, products and services are on display from over 80 local and regional businesses.

"If you are looking to remodel or if you're thinking about building a new home, then this is the show for you," said Expo Show Manager Vicki Pelletier. "In addition, attendees can learn a lot about new products and services from knowledgeable exhibitors that will enable them to make wise decisions when it comes to buying products for their home."

The Home & Products Expo is a one-stop source for information from air conditioners, ICF construction and flooring materials to homes insulation, energy efficient windows and doors, pool and patio furniture, and green products and services, just to name a few.

"The Home & Product Expo is the show we wait for each year. We get the most qualified leads and return customers year after year, said Mary Lunt of Folkers of Window Company.

"The Expo had built a solid reputation for providing the best in building products and services, said Expo Volunteer Chair Ron Castner of Castner Construction. "For people interested in reaching building professionals who treat you with courtesy, and will take time to answer questions, then the Expo is the place to be."

The Expo is brought to you by: Gulf Power/EarthCents, Pen Air Federal Credit Union, Riviera Furniture, Pensacola News Journal, Pensacola Home & Garden, WEAR TV 3, My 35 WFGX, Cox, NASH FM 102.7, WCOA 1370, Soft Rock 94.1

For more information, contact the Home Builders Association of West Florida at 476-0318 or go to www.HomeExpoPensacola.com.



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MAKING THE EXPO HAPPEN



Vicki Pelletier
Expo Show Manager



Ron Casnter
Expo Chairman



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EXPO AWARDS LUNCHEON & SILENT AUCTION

August General Membership Meeting

Friday, August 22nd
11:00 a.m. - 12:30 p.m.
Pensacola Bay Center

\$20.00 PER ATTENDEE

The first hour will be dedicated to the Silent Auction and lunch.

We will also present the Outstanding Exhibit Awards!!

Visit www.westfloridabuilders.com for a printable RSVP form OR Email attendee & payment information to vicki@hbawf.com

Exclusive Sponsorship available for Expo Awards Luncheon! Contact the HBA office for more info!

SHOW TIMES

FRIDAY, AUGUST 22

1:00 p.m. – 6:00 p.m.

SATURDAY, AUGUST 23

10:00 a.m. – 6:00 p.m.

SUNDAY, AUGUST 24

12:00 p.m. – 5:00 p.m.

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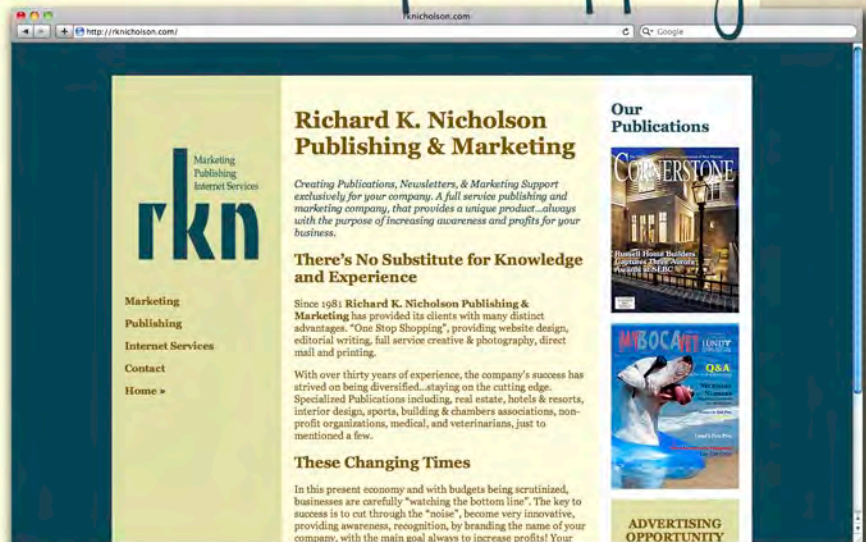
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Single Family Residential Development Stormwater Management Review

A report to the Santa Rosa County Board of County Commissioners

INTRODUCTION

Recent heavy rains have highlighted the stormwater management challenge faced by developers of new homes and adjacent property owners in single family neighborhoods. This is particularly apparent in older subdivisions, such as Holley by the Sea, and metes and bounds subdivisions that have minimal stormwater management infrastructure in place. New construction must be located so as to avoid structure flooding, while at the same time avoiding excess runoff onto adjacent properties.

A number of factors combine to exacerbate this challenge. Background conditions such as flat topography and elevated water table limit options for movement and storage of surface water. Florida Building Code and County Land Development Code regulations require structures to be elevated above surrounding grade, regardless of the elevation of adjacent properties. State Health Department regulations require septic drainfields to be elevated 24 inches above the ground water elevation, which in turn leads to further elevation of homes. Property owner

choices such as size of home, location of fences, and landscaping also impact options for and direction of water flow. In addition, legal guidelines affect how water flow can be modified and also limit the overreach of regulatory controls.

This paper will briefly summarize each of these factors and provide recommendations for improvements.

Recommendations

The recommendations outlined at the end of this report fall into four categories: (1) Clarification of Existing Regulations; (2) Improved Implementation of Existing Regulations; (3) Expansion of Sanitary Sewer; and (4) Education and Communication.

The need for increased additional regulation is not apparent at this time; however, amending the code to clarify existing standards and their application will result in procedural and practical changes for better management of stormwater.

Regional Stormwater Management

It should be noted that this paper does not address regional, neighborhood, or area-wide stormwater management.

While new construction on individual lots plays a part in the overall volume and flow of storm water in a given area, it appears that in many cases the limited capacity for the regional movement or storage of storm water is the main factor that creates threatening conditions in these residential areas. Individual lot development appears to mainly play a role in the non-threatening aspects of storm water management such as localized ponding and siltation.

Area-wide stormwater management looks at the big picture of where stormwater is ultimately directed and how it is conveyed, stored, and discharged. That big picture is addressed in a number of ways, including stormwater plans

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for platted residential development and commercial site plans, development of stormwater master plans (such as the one underway for the Holley by the Sea drainage basin), and public infrastructure projects designed and carried out by the county and the state.

FACTORS IMPACTING INDIVIDUAL LOT STORM-WATER MANAGEMENT

Natural Conditions

The natural conditions of each development area change over time and affect the ability to completely and consistently manage stormwater. Depth to the water table, permeability of soils, proximity to wetlands, vegetation, and rainfall amounts are the most typical natural factors affecting stormwater management.

Increased rainfall totals may elevate the water table, thereby reducing the amount of voids in the soil available to absorb stormwater. In some cases, the water table may intersect the bottom of ponds or ditches, resulting in standing water and reduced capacity to hold additional runoff. Wetlands, which frequently serve as receivers of stormwater runoff, are similarly impacted.

The permeability of soils may be reduced by compaction, use of clay fill, and construction of impervious surfaces, thereby limiting the soil's ability to absorb water into the ground.

Vegetation slows the movement of water, allowing for increased groundwater absorption, and also take up water through their roots via capillary action. Removal of natural vegetation without re-vegetation of the site removes these benefits. With the exception of water-

front lots and work in the rights of way, the county does not regulate vegetation for single family homes.

Lot Fill

Most single family development requires soil, or fill, to be brought in to achieve the required elevation of the home and septic system. Varying amounts of fill are also required to meet the established lot elevations required by subdivision drainage plans and to achieve the yard elevation desired by the property owners.

The volume, or height of fill, is not as important to stormwater management as the location and grading of that fill. Therefore, the County does not regulate the maximum amount of fill that may be used, but rather looks to ensure that minimum elevations are met, while at the same time ensuring that lot grading standards are followed.

Lot Grading

Lot grading, or the movement of dirt on the property so as to create the desired slope of the finished grade, directly impacts the flow of water on a lot.

The Florida Building Code requires the following with regard to lot grading:

R401.3 Drainage - Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches the first 10 feet. (emphasis added)

Importantly, water is to be directed to a

- a storm sewer conveyance
- or other approved point of collection.

Similarly, the Land Development Code requires the following:

4.03.06 M.1. Finished Floor Elevation – ...Finished grade shall be sloped downward from the foundation two and one half (2 ½) inches (note: Building Code supersedes this with a 6 inch requirement) within ten (10) feet or less including sidewalks, patios and driveways and then sloped a minimum one-sixteenth (1/16) inch per foot to a **positive drainage outfall.** (emphasis added)

Newer subdivisions have been designed with lot grading plans that are provided to builders to ensure that developed lots conform to the overall drainage plan for the subdivision. Those plans typically depict the direction of water flow on each lot using arrows, which gives guidance to builders as they grade individual lots. A more precise methodology is to established spot elevations for each lot and require builders to fill and grade each lot to meet those elevations. While more precise, this method does require the use of survey data to ensure compliance. The Engineering Department has recently begun to require the use of spot elevations on new subdivision drainage plans.

Storm Sewer Conveyance Systems

Storm sewer conveyances (ditches or pipes) are designed to carry water away from developed properties to holding ponds, wetlands, or other discharge points.

Newer subdivisions require engineered drainage systems that include specifically sized and sloped conveyance systems.

In older subdivisions, like Holley by the Sea, the storm sewer conveyance system is a series of shallow ditches connecting to wetlands. Because these systems do not conform to current design standards, they frequently do not transport water but rather serve as holding areas for stormwater. In areas further complicated by high water tables that water

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may not filtrate quickly into the ground resulting in water standing in ditches for long periods of time. This minimizes the volume of water that the ditches can accommodate, resulting in water backing up into yards and streets. However ineffective in moving water, these ditches are drainage systems for those subdivisions, and as such are appropriate areas for directing the flow of water from new home construction.

Approved Points of Collection

Other approved points of collection for older subdivisions and metes and bounds lots commonly include adjacent wetlands and retention swales located on the property. Creative alternatives such as rain gardens or catchment systems have been used in other jurisdictions.

Swales are typically used to convey water, but can also serve to hold water on-site to allow for infiltration. Wetlands naturally hold water and can, therefore, be useful collection points. Like with other drainage features, the capacity of swales and wetlands is not unlimited and can be overcome by frequent, heavy rains resulting in water standing in yards and roadways.

Some subdivision lots identify “drainage easements” along common property lines. These are typically not approved

points of collection, but rather provide room for property owners to address drainage issues that arise along property lines.

In new subdivisions, conveyance systems are designed to move stormwater to retention or retention/detention ponds (holding ponds) that serve as an intermediate point of collection. These are designed to hold and treat a specific amount of runoff and to regulate the safe discharge of water to points down gradient (or “downhill”).

Adjacent Lots

Water flow does not stop at lot lines and some amount of flow onto adjacent properties is both natural and, in some situations, designed as part of the area-wide system. In some cases, filling of a lot between two exist-

ing homes results in a return of the natural leveling out of water flow that existed prior to development. However, increased runoff resulting from newly constructed impervious surfaces (roofs, driveways, pools) should be directed as required by the Building Code and not permitted to drain directly to adjacent properties unless part of an area-wide system.

Available Space

The grading of each lot to meet the Building Code requirement for directing water requires adequate space which is a challenge on smaller lots, particularly within side yards. Most homes on residential lots are constructed to the minimum side setback lines which are most commonly 7 feet. This leaves little room for sloping the fill needed to elevate the home and construct swales to carry water.

Structure Elevation

County wide

The Land Development Code establishes the following standards for the elevation of the finished floor of new construction:

- “4.03.06 Construction Plans - Minimum Requirements:
- M. Finished Floor Elevation –

1. Minimum finished habitable floor elevations (excluding basements) shall be eight (8) inches above finished grade. If no sod is installed, elevation shall be ten (10) inches above finished grade. Finished grade shall be sloped downward from the foundation two and one half (2 ½) inches (note: Building Code supersedes this with a 6 inch requirement) within ten (10) feet or less including sidewalks, patios and driveways and then sloped a minimum one-sixteenth (1/16) inch per foot to a positive drainage outfall.

2. In all new subdivisions a sealed professional engineer’s evaluation shall be required. The engineer’s evaluation will include design data, calculations, drawings and applicable assumptions to establish the 100 year water surface profile for the area and shall be submitted to the County Engineer. Upon review by the County Engineer, a minimum finished habitable floor elevation of fourteen inches (14”) above the expected 100 year water surface profile will be established and forwarded to the Building Inspection Department where required.

3. In areas determined by Santa Rosa County to be flood-prone with documented high water elevations, a minimum finished habitable floor elevation of eighteen inches (18”) above the high water mark will be established by the County Engineer. Finished floor elevation requirements shall be verified prior to issuance of a Certificate of Occupancy by a certified elevation letter from a registered land surveyor or registered engineer.

These regulations are adopted to attempt to reduce flooding to habitable areas of single family residences. It is recognized that no regulation will guarantee that such flooding will not occur.”

Flood Zones

For properties located within certain FEMA flood zones, the minimum finished floor elevation is established on the flood maps. Santa Rosa County has adopted an additional 3 foot elevation requirement for residential structures located in special flood hazard areas.

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Septic Tanks and Drain Fields

Properties with elevated septic drain fields typically have homes elevated above the drain field so as to achieve gravity flow from the home into the septic tank and drain field. The alternative to elevating the home is the use of a grinder pump to pump wastewater up into the drain field. While this method requires less fill for the home, it can result in costly maintenance expenses and it creates a less attractive “buried elephant” look in the yard.

Holley by the Sea is an example of a subdivision that is partially served by sanitary sewer provided by the Holley-Navarre Water System and partially served by individual septic tanks. In those parts of the subdivision not served by sewer, the high water table in that area necessitates bringing in fill to elevate septic drain fields such that the bottom of the drainfield is 24 inches above the water table.

In all areas of the county, new development is required to connect when sanitary sewer systems are available. For subdivision development purposes, sewer is considered “available” when it is located within one half mile of the development. For individual lots, sewer is “available” when it is located within the right-of-way adjacent to the lot.

Property Owner / Builder Preference

Property owner, or builder, preference is a fourth factor impacting the elevation of homes. While many homeowners desire to keep costs down by limiting the amount of lot fill used in construction, others prefer to further increase the elevation of their home to avoid future flooding problems or for aesthetic purposes.

Methods for Elevating Structures

The foundation chosen for residential structures affects the amount of fill required for the lot.

Stemwall Foundations

For structures with stem wall foundations, the minimum finished floor elevation is achieved by bringing in fill to the lot and by adjusting the height of the stem wall.

Monolithic Slab Foundations

Monolithic slab on grade foundations rely solely on filling of the lot with dirt to elevate the structure to the appropriate height.

Piling Foundations

For structures with piling foundations, the elevation of the home is dictated by the height of the pilings. These are typically used in shoreline areas where floodplain regulations require them. They can be used in other areas to limit the amount of fill required to elevate



a home; however, water must still be directed away from the home to avoid standing water under the structure.

Pier Foundations

Pier foundations can also raise the elevation of the structure with limited requirements for lot filling; however, those are not permitted in this region of Florida due to the wind load requirements of the Florida Building Code. (Note: piers can be used when surrounded by a stem wall.)

Erosion Control

Uncontrolled erosion and sedimentation impact stormwater management

through the deposition of sediment into ditches, storm drains, and ponds. The Land Development Code requires the following:

Section 4.04.03.J - Single Family Dwelling and Duplex Development Storm Water Control

All single family dwelling and duplex development activities, shall maintain erosion control measures so as to prevent sediment or debris from leaving the development parcel. Any sediment or debris that leaves the development site shall be properly recovered by the building permit holder.

Failure to comply with this requirement shall constitute a violation of this ordinance and shall be cause for suspension of a building permit or development order.

Anecdotal evidence indicates that while the code requires erosion control, there are gaps with regard to installation and maintenance of functioning systems.

Legal Guidance

In general, new development is responsible for managing the increase in stormwater runoff resulting from the development. The natural stormwater runoff from a vacant lot is affected by permeability of soils, elevation and grade of the lot, and presence of vegetation. Changing those factors and adding impervious surfaces such as roof tops, driveways, and pools serve to increase the amount of water that runs off of the property.

The increased volume of water resulting from development should be managed as discussed above.

This does not mean that the increased water runoff from new development can never flow onto adjacent properties. The phrase “reasonable man rule” has developed over time as a result of case law related to stormwater impacts. This rule says that a property owner can take “reasonable” action to protect their home and property. An example related to new development would be when a home is constructed on a lot that sits lower than the adjacent properties and, prior to development, held the water coming off of the neighboring

lots. In that case it is "reasonable" for the new development to fill the lot so that the new home is elevated consistent with neighboring homes, resulting in a return of the natural flow of water over the adjacent lots.

Another important piece of legal guidance related to stormwater controls is the concept of a "regulatory taking." In Florida, if regulations are adopted that result in a property owner losing all reasonable use of his property, that is considered a taking and the property owner must be compensated for the value of his property. For example, a regulation could be adopted that prohibits the use of elevated septic drain fields on residential lots to minimize the amount of fill used. However, if sanitary sewer was not available or planned for expansion to a lot proposed for development, that regulatory action would result in the inability to develop the lot (absent extreme measures such as the use of portable toilets), which could constitute a taking.

Property Owner Modifications

Many property owners are unaware of how modifications to their property affect the flow of water on their lot, between lots, and within stormwater conveyance systems.

Some of the more commonly seen obstructions include:

- Fences that do not permit water to flow under or through them;
- Landscaping features;
- Pools and other structures;
- Ditches filled to avoid standing water and to make yard maintenance easier; and
- Soil and sod added by a homeowner or sub-contractor following construction of the home.

RECOMMENDATIONS

Recommendations for improvements fall into four general categories:

- (1) Clarification of Existing Regulations
- (2) Improved Implementation of Existing Regulations
- (3) Expansion of Sanitary Sewer
- (4) Education and Communication

(1) Clarification of Existing Regulations

While new regulations are not proposed at this time, there is a need to clarify

existing regulations to improve compliance and effectiveness.

Land Development Code provisions related to stormwater management and erosion control for single family development should be co-located for clarification and ease of use.

(2) Improved Implementation of Existing Regulations

Revise the permitting and inspection procedures to Increase the emphasis placed on correct lot grading and erosion control measures early in the development process. Current procedures place the first inspection after construction has commenced and after lots have been filled and graded. Also, increased emphasis on maintenance of existing stormwater conveyance systems and installation of new systems as warranted.

- Require more detailed information be provided with a permit application.
 - ⊙ Identify on the development plan the location of the storm sewer conveyance or other approved point of collection toward which stormwater will be directed.
- Initiate a pre-development site inspection.
 - ⊙ Designate a site inspector who will be responsible for all site inspections.
 - ⊙ Train site inspector as needed.
 - ⊙ Task site inspector to conduct pre-development inspection with the project contractor to ensure agreement on actions required to meet code standards.
 - ⊙ Task site inspector to coordinate regularly with the Public Works Department and the Engineering Department as needed to ensure code compliance, evaluate unique situations, and develop solutions to identified problems.
 - ⊙ Establish a goal of performing site inspections within 24 hours of request.
 - ⊙ Require the use of survey data when lot grading elevations cannot be visually confirmed or when spot elevations are included in the engineered drainage plan design.

• Provide training for inspectors and contractors on installation and maintenance of erosion control measures.

• Allocate resources to the Road

and Bridge Department to increase regular maintenance of county-owned stormwater systems, including periodic survey of homeowner placed obstructions in dedicated storm water features.

• Implement the recommendations from the pending Holley by the Sea stormwater master plan as funding becomes available to improve stormwater conveyance systems, thereby minimizing the need for further action related to individual lots.

(3) Expansion of Sanitary Sewer

The expansion of sanitary sewer will not only minimize the number of elevated septic drain fields in stormwater problem areas, but will also avoid health issues resulting from flooded septic systems and serve to protect environmental resources in areas near waterbodies, wetlands, and areas with high water tables.

- Meet individually with sanitary sewer providers to discuss stormwater concerns, their plans for service expansions, and means for continued coordination during the development process.
- Coordinate with sewer providers and the health department to make GIS mapping information available to the permitting agencies.

(4) Education and Communication

Education of and communication with county staff, contractors, and the public can be accomplished in a number of ways that will serve to improve compliance with county code and empower property owners to effectively manage stormwater on their property.

- Provide training for inspectors and contractors on lot grading and erosion control.
- Mail out notices to targeted subcontractor groups advising of county code related to lot grading, lot fill (i.e. red clay limitations), and erosion control.
- Utilize the county website, county publications, standard media, and social media to educate property owners on stormwater topics and to provide them with useful ideas they can employ such as permeable pavement, rain gardens, rain barrels, and catchment systems.

BIPARTISAN ENERGY CODES BILL. A BOON FOR CONSUMERS

Bipartisan legislation introduced by Reps. Marsha Blackburn (R-Tenn.) and Kurt Schrader (D-Ore.) would help promote savings in commercial buildings and residential homes through the use of more cost-effective energy codes, which set energy efficiency baselines for buildings, according to the National Association of Home Builders (NAHB).

“By requiring that any code or proposal supported by the Department of Energy has a payback of 10 years or less, the bill would allow home owners to invest in energy-efficient windows, lighting and other features that will significantly reduce their utility bills,” said NAHB Chairman Kevin Kelly, a home builder and developer from Wilmington, Del.

In addition to accelerating cost-savings for home owners, the Energy Savings and Building Efficiency Act (H.R. 5027) stipulates that the Department of Energy would serve as a technical advisor in the development of energy codes and prohibit the agency from advocating for certain technologies, building materials or construction practices.

“The agency’s strong suit is technical analysis and its calculations on payback and efficiency can help code officials make more informed decisions and result in cost-effective code change proposals,” said Kelly. “That transparency leads to better building.”

Specifically, the bill would ensure that all Department of Energy code change proposals are:

- Made available to the public, including calculations on costs and savings;
 - Subject to the official rulemaking process, allowing for public comment; and
 - Taking into account small business concerns.
- “This bill will help ensure that new homes become increasingly energy efficient, but not at a pace that the market cannot bear,” said John Floyd, principal of Ole South Properties in Nashville. “Our buyers want to be assured that the additional cost comes with a reasonable payback so they can recoup the money they spent.”



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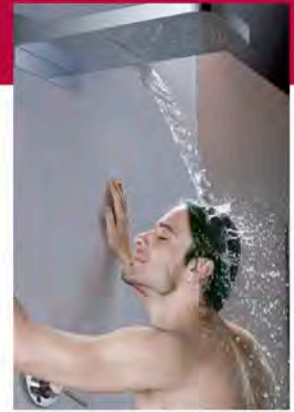
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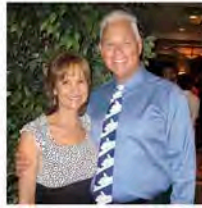
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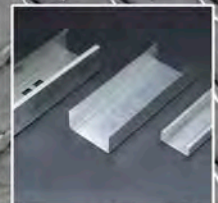
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