

NONCONVERSION AGREEMENT FOR CERTAIN STRUCTURES IN
THE FLOODPLAIN

Application has been made for a Permit _____, Conditioned Permit _____, or Variance
_____ to construct _____

which does not conform to the elevation requirements of the Floodplain Management
Ordinance of Washington County.

Permit # _____
Property Owner _____
Address _____

Deed dated _____, Recorded in liber _____, folio _____
tax map _____, block _____, parcel _____

Flood Protection Elevation at the site is _____(NGVD), NFIP Map: Washington County,
Maryland, Panel: 240070 _____, Effective Date: _____.

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 Washington County, the Property Owner agrees to the
following:

1. That the enclosed area, if permitted, shall be used solely for parking of vehicles,
limited 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
shall be unfinished or constructed of flood resistant materials.
3. That mechanical, electrical, or plumbing devices shall not be installed below the
Flood Protection Elevation.
4. The walls of the enclosed areas below the Flood Protection Elevation shall be
equipped with at least two vents, which permit the automatic entry and exit of
flood water with total openings of at least one square inch for every square foot of
enclosed area below flood level. The vents shall be on at least two different
walls, and the bottoms of the vents shall be no more than one foot above grade.
5. That the requested structure may increase the risk to life and property, and may be
subject to increased premium rates for flood insurance available from the National
Flood Insurance Program.

6. That the conditions above must be recorded on the deed to the property or on a Declaration of Land Restriction, and shall run with and bind on the land to the heirs, assigns, or successors of the property owner.
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 # _____.

_____	_____
Witness	DATE

Signature of Property Owner	

Signature of Property Owner	

At a minimum, the following has been recorded on the deed to the above property or on a Declaration of Land Restriction: "This structure has been allowed without conforming to the Floodplain Management Ordinance of Washington County, Maryland. No conversion to habitable space is to occur unless the enclosed area below the Flood Protection Elevation becomes fully compliant with the Ordinance in effect at the time of conversion. At this site, the Flood Protection Elevation is _____ feet above mean sea level, National Geodetic Vertical Datum. "

_____	_____
Signature, Recorder of Deeds	Date

Based on satisfaction of the above conditions and proper recordation in the land records of Washington County, a permit may be issued for an enclosed structure which is not fully compliant with the Floodplain Management Ordinance of Washington County, Maryland.

_____	_____
Date	Signature, Permitting Official

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 enclosure which exceed five (5) feet in height.