Flagler County
Exemption for Nonresidential Farm Building
EXEMPTION PROCESS FOR NONRESIDENTIAL FARM BUILDINGS

Generally, nonresidential farm buildings are an allowed accessory use on a property when State of Florida Statutes, zoning requirements, and licensing requirements are met.

Florida Statute §604.50 Nonresidential Farm Buildings – Notwithstanding any other law to the contrary, any nonresidential farm building is exempt from the Florida Building Code and any county or municipal building code. For purposes of this section, the term “nonresidential farm buildings” means any building or support structure that is used for agricultural purposes, is located on a farm that is not used as a residential dwelling, and is located on land that is an integral part of a farm operation or is classified as agricultural land under §193.461Florida Statutes.

Florida Statute §823.14 (3) (a) Farm - means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.

Zoning Requirements. Zoning requirements are prescribed at Article III of the Flagler County Land Development Code. Nonresidential farm buildings are allowed when the following requirements are met:

1. Nonresidential farm building must meet the minimum setbacks as prescribed by the effective zoning district.
2. No portion of the structure may encroach into any easement or right-of-way.
3. Any nonresidential farm building used for the storage of hazardous, incendiary, noxious, or pernicious materials must comply with standards in the Land Development Code.

Exemption Submittal Requirements. The basic information required to obtain an exemption from the building permit requirements are as follows. An application will be considered complete when all applicable items are checked off.

1. _____ Proof of ownership. This can be in the form of a recorded warranty deed, lease and owner’s consent, or other verifiable means of proving ownership.
2. _____ Construction site plan. A survey, sketch, or other legible drawing drawn to scale which shows: property boundaries and dimensions; any easements or rights-of-way; any existing or proposed buildings with distances between buildings; setbacks from property lines for all existing or proposed buildings, including the proposed construction; any water bodies or jurisdictional wetlands on the property, right of way connection to public road and locations of flood zones.
3. _____ Proof of Farm - Agricultural Classification from Property Appraiser.
4. _____ Exemption Affidavit - A fully completed, signed and notarized Exemption affidavit.

For further information contact Central Permitting at (386) 313-4003.

THIS LIST IS INTENDED ONLY AS A GUIDE FOR APPLICATION SUBMITT AND MAY OR MAY NOT BE ALL INCLUSIVE
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Note: This exemption is applicable only for property with Agricultural Classifications determined or as applied by the Flagler County Property Appraiser.

This is to certify that I, __________________________ am exempt from the requirements for a Building Permit under § 553 Florida Statutes, Building Construction Standards. The proposed construction, as depicted on the attached site plan is to be a nonresidential farm building on a farm.

Property Owners Name: ________________________________
Mailing Address: ______________________________________
Phone Number: __________________ Email: ______________________

Address of Property: ______________________________________
Legal Description: ______________________________________
Parcel #: __________________________ Block: __________ Lot: __________
Specific Directions to Job Site: ______________________________________

Contractor: __________________________ (in accordance with FS.489) State/County License________
Address: ______________________________________
City/State/Zip Code: __________________________
Phone: __________________ Fax: ____________________Cell: __________________________

Type of Structure: ______________________________________
Use of Structure: ______________________________________

Zoning District_______ Future Land Use_______ Flood Zone_______ Map #: __________________

Setbacks: Front Proposed: __________ Rear Proposed: __________
Left Side Proposed: ________ Right Side Proposed: __________

Additional permits may be required from other governmental entities.

Sub Contractor Information:

Electrical Contractor:
DBA________________________________ License Holders Name _______________________
State License Number ________________________ Size of Electrical Service: Phase ________Amps ________

Revised 03/2015
Plumbing Contractor:
DBA ________________________________ License Holders Name ____________________
State License Number ____________ Number of Bathrooms ____ Number of Fixtures, Floor Drains and Traps _____

Mechanical Contractor:
DBA ________________________________ License Holders Name ____________________
State License Number ____________ Total Cost of Mechanical _______ Size of Unit ___________ tons

Roofing Contractor:
DBA ________________________________ License Holders Name ____________________
State License Number ____________ Total Cost of Roof _______ Type of Roof to be installed ________________

Aluminum Contractor:
DBA ________________________________ License Holders Name ____________________
State License Number ____________ Total Cost of Aluminum Structure __________________________

Gas Contractor:
DBA ________________________________ License Holders Name ____________________
State License Number ____________ Total Number of Outlets ____________________________

*Fees will be charged in accordance with Flagler County Ordinance 2008-31 and Contractor Licensing Ordinance 2008-56.

I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

(Owner's Signature) ______________________________ (Printed Name) ______________________________

State of ________________
County of ________________
Sworn to and Subscribed before me, the _____ Day of ___________________, 20 ____ by
__________________________________________ who is personally known to me or has produced
__________________________________________ as identification.

(Type of Identification)

Signature of Notary Public or Staff Signature* ______________________________ Print, Type or Stamp of Notary

*To qualify as an owner/builder, the owner of the property must personally appear at Central Permitting and sign this application. (FS §489.103.7b)

Change of Use or Occupancy may require after the fact building permits with demonstrated code compliance including, but not limited to, destructive testing and inspections. If requested by the applicant, plan review and inspections will be completed upon approval of a permit application and payment of required fees creating a permanent record of the construction completed for future use.