

HIGHLANDS COUNTY DEVELOPMENT SERVICES DEPARTMENT

EXEMPTION GUIDE

EXEMPTION PROCESS FOR NONRESIDENTIAL FARM BUILDINGS

Generally. Nonresidential farm buildings are a permitted accessory use on a property when State of Florida Statutes and zoning 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 s. 193.461 Florida 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 Section ___ of the 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 public easement or right-of-way.
3. Nonresidential farm building located adjacent to a public right-of-way must maintain the setbacks prescribed for the principle building for the zoning district in which it is located.
4. Any nonresidential farm building used for the storage of hazardous, incendiary, noxious, or pernicious materials must be located no closer than 100 feet from any property line.
5. Any nonresidential farm building that houses animals must be located no closer than 50 feet from any property line,

Exemption Submittal Requirements. The basic information required to obtain an exemption from the building permit requirements is 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 warranty deed, executed closing statement, or other verifiable means of proving ownership.
2. Construction site plan. A survey, sketch, or other illegible drawing drawn to scale which shows: property boundaries and dimensions; any easements or rights-of way; the location of the proposed storage shed; any existing or proposed buildings with distances between buildings; setbacks from property lines for all existing or proposed buildings, including the proposed storage shed; any water bodies or jurisdictional wetlands on the property, and; locations of flood zones, if any.
3. Proof of Farm. This can be either a farm serial number assigned by USDA Farm Services or classification as agricultural land under s, 193.461 Florida Statutes.
4. Exemption Affidavit. A fully completed, signed and notarized Exemption affidavit.

DEVELOPMENT SERVICES DEPARTMENT

EXEMPTION FOR NONRESIDENTIAL FARM BUILDING

This is to certify that I, _____ am exempt from the requirements for a Building Permit under s. 553 Florida Statutes, Building Construction Standards. The proposed structure(s) depicted on the attached site plan is to be a nonresidential farm building(s) on a farm.

Owner: _____	
Owner Address: _____	
Telephone Number: _____	
Address of Farm: _____	
Parcel ID Number: _____	
Product of Farm: _____	
Type of Structure: _____	
Use of Structure: _____	
Zoning District: _____	Future Land Use: _____

Setbacks:

Front – Allowed _____ Proposed _____
Sides - Allowed _____ Proposed _____
Rear – Allowed _____ Proposed _____
Distance between structures – Allowed _____ Proposed _____
Double Frontage _____
Flood Zone _____

This exemption applies to the structure only and does not exempt the applicant from any electrical permits for this building.

Additional permits may be required from other governmental entities.

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 Signature

STATE OF FLORIDA
COUNTY OF HIGHLANDS

_____, personally appeared before me and is known by me or has produced identification (type of ID) _____ on this _____ day of _____, 20_____

Notary's Signature

My Commission Expires:

(Stamp)