

RESOLUTION NO. 2021-12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, A MUNICIPAL CORPORATION, ADOPTING RULES FOR AN EXEMPTION FROM THE FLORIDA BUILDING CODE FOR SINGLE-FAMILY RESIDENCES RELATING TO CERTAIN ADDITIONS, ALTERATIONS, OR REPAIRS NOT TO EXCEED 250 SQUARE FEET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Building Code remains in effect, as periodically updated and amended, in the State of Florida;

WHEREAS, pursuant to Section 102.2.5 of the Florida Building Code, a local enforcement agency may provide limited exemptions from the Florida Building Code for single-family residences;

WHEREAS, pursuant to Section 102.2.5 of the Florida Building Code, the local enforcement agency may provide an exemption from the Florida Building Code for additions, alterations, or repairs performed by the property upon the property owner's own, provided any addition or alteration shall not exceed a certain square footage or the square footage of the primary structure, whichever is less;

WHEREAS, Nassau County, Florida has implemented Resolution 2015-85, adopting exemptions based on the Florida Building Code; and

WHEREAS, the Town of Hilliard, as a local enforcement agency for the purposes of the Florida Building Code, desires making certain exemptions available to applicable owners in the Town.

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Hilliard, Florida that:

Section 1. The following permit exemptions shall apply for additions, alterations, or repairs by owners of single family residences who use those residence as their homestead and whose additions, alterations, or repairs do not constitute a substantial improvement by an owner or non-owner of a single family residence within a mapped flood zone:

A. A one-time exemption within a twelve (12) month period for porches, patios, decks, or storage sheds containing no more than 250 square feet, located at a single family residence or mobile home.

B. Fences not exceeding 6 feet in height.

C. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless: (1) supporting a surcharge; or (2) within a distance from the property line that is less than the exposed height of the front of the wall.

D. Raised decks, platforms, ramps, sidewalks, and driveways not more than 30 inches above adjacent grade, and not over any story below and is not part of an accessible route.

E. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.

F. Prefabricated swimming pools that are less than 24 inches deep.

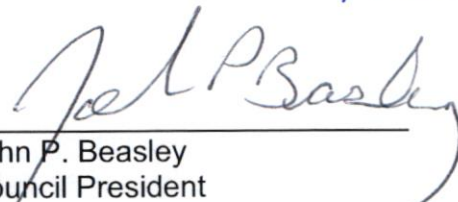
G. Shade cloth structures for nursery or agricultural purposes.

H. Swings, slides, carousels, and other playground equipment.

I. Inspections for additions, alterations, or repairs of mechanical equipment where the owner submits a notarized statement that holds the Town of Hilliard harmless from any adverse consequences resulting from the work and agrees not to initiate, support, or join any legal action against the Town of Hilliard for such consequences. Further, the statement shall contain a statement that the owner shall indemnify and hold the Town of Hilliard harmless from such actions.

Section 2. This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 6th, day of May, 2021 by the Town Council of the Town of Hilliard, Florida, and shall become effective on May 7, 2021.



John P. Beasley
Council President

ATTEST:



Lisa Purvis
Town Clerk

APPROVED:

Floyd Vanzant

Floyd L. Vanzant
Mayor



**TOWN OF HILLIARD
OWNERS AFFIDAVIT OF AGREEMENT
BUILDING PERMIT EXEMPTION**

In accordance with the requirements of the Town of Hilliard Resolution No. 2021-12 and Chapter 1, Section 102.2.5 of the 7th Edition 2020 Florida Building Code requesting exemption from the permitting requirements of the Town of Hilliard, Florida for the construction of a porch, deck, patio or storage shed,

I (print name) _____, as owner of a Single Family Residence or a

Manufactured Residential Home located at : _____

agree and will comply with the following conditions, stipulations and requirements:

1. The Single-Family Residence or Manufactured Residential Home is my residence and is not rented or leased.
2. If I use the services of anyone other than myself to build or construct the porch, deck patio or storage shed, I will hire a properly licensed contractor in accordance with Section 489.103 (7) of the Florida State Statutes.
3. The porch, deck, patio or storage shed shall not exceed two-hundred and fifty (250) square feet in area.
4. The porch, deck or patio shall be open or utilize only screening on a minimum of two (2) sides or walls.
5. The storage shed shall be a maximum of twelve (12) feet in height above grade and shall be attached to a three and one-half inch (3-1/2") thick concrete slab or be secured to the ground with auger type anchors as recommend by the manufacturer.
6. The porch, deck, patio or storage shed shall not be in violation of any adopted Zoning Regulation for the Zoning District that it is located within.
7. I understand that after review by the Building Official or Plans Examiner and if the referenced property is found to be in a mapped flood hazard area this exemption may or may not be used.
8. The porch, deck, patio or storage shed shall not be converted to habitable space without submittal of construction plans, which must be signed and sealed by a design professional, the application for, and obtaining of, a construction permit from the Town of Hilliard Building Department, as well as payment of all associated fees.
9. I have not utilized this exemption within the past twelve (12) month period.
10. I will submit a site plan or legal survey indicating setbacks from other structures and property lines in sufficient detail for determination of compliance with all zoning requirements.
11. I will submit a fee of \$25.00 for zoning approval.
12. I, as the owner and resident of the above referenced property, assume any and all liability that may arise relating to the construction of the porch, deck, patio or storage shed.

I hereby agree and affirm to the conditions, stipulations and requirements listed in the document.

(Signature)

(Date)

STATE OF FLORIDA
COUNTY OF _____

Subscribed and sworn to (or affirmed) before me this ____ day of _____, _____.
By _____, who is/are personally known to
me or has/have produced _____ as identification.

Notary Public

(Name of Notary typed, printed or stamped)

TOWN OF HILLIARD BUILDING DEPARTMENT

Building Permit Exemption Approval (for office use only)

Owner: _____

Residential Home Address: _____

Parcel I.D. #: _____

Zone: _____ Lot size: _____ sq. ft.

Current Flood Zone: _____

Sq. ft. of Existing Coverage: _____

Sq. ft. of Proposed Increase: _____

Existing % of Coverage: _____

Proposed % of Coverage: _____

Allowable % of Coverage: _____

Has applicant provided proof of Ownership? YES NO

Is porch/deck/patio/shed within Allowable % of Coverage for zone? YES NO

Is porch/deck/patio/shed within Allowable Sq. Footage of Exemption? YES NO

Has the owner submitted the required affidavit? YES NO

APPROVED: _____ DENIED: _____

Land Use Administrator (Signature)

Date