

- New Construction  
 Existing Structure  
 Transfer Ownership

## AGRICULTURAL FARM BUILDING EXEMPTION

Required Fee: \$350.00 (\$275.00 to review local, state, or federal floodplain management regulations and \$75.00 for Fire Rescue Review)

Section 604.50, Florida Statutes, states in part: “any nonresidential farm building, farm fence, or farm sign that is located on lands used for bona fide agricultural purposes is exempt from the Florida Building Code and any county or municipal code or fee, except for code provisions implementing local, state, or federal floodplain management regulations” To receive this exemption, a property owner must demonstrate that the proposed structure, farm fence or farm sign meets the following criteria:

|    | <b>Section 604.50, Florida Statutes Criteria</b> <ul style="list-style-type: none"> <li>• <b>Non-residential farm building exemptions must comply with A, B, C, D and E)</b></li> <li>• <b>Farm signs must comply with B, must relate solely to the farm product and may not violate F.S. 479.11(4), (5)(a) and (6)-(8)</b></li> <li>• <b>Farm fences must comply with B</b></li> </ul> | <b>Required Documentation</b>  |
|----|---|--|
| A. | It is a temporary or permanent building or support structure; <b>and</b>  | Provide a description of the structure including type (barn, covered arena, etc.), occupancy, intended use, length, width and height.                                      |
| B. | It is located on lands used for bona fide commercial agricultural purposes; <b>and</b>  | Provide documentation to establish good faith commercial agricultural purposes as defined in F.S. 193.461(3)(b).   |
| C. | 1. It is classified as a non-residential farm building on a farm; <b>or</b><br>2. It is used primarily for agricultural purposes; <b>and</b>  | Same as for Criteria B above   |
| D. | 1. It is located on land that is an integral part of a farm operation; <b>or</b><br>2. It is classified as agricultural by the Property Appraiser; <b>and</b>   | Provide documentation to establish that the land is an integral part of a farm operation or documentation of agricultural land classification from the Property Appraiser. |
| E. | It is not intended to be used as a residential dwelling;  | Signed and notarized declaration that the structure will be used only as a non-residential farm building.  |

**NOTICE:** AN EXEMPTION FOR A NON-RESIDENTIAL FARM BUILDING WILL NOT BE GRANTED UNLESS THE PARTICULAR STRUCTURE IS PERMITTED WITHIN THE ZONING DISTRICT.

**DISCLAIMER:** IF THE PROPERTY'S AGRICULTURAL CLASSIFICATION IS REVOKED, THE STRUCTURE MAY BE DEEMED NON-CONFORMING IN ACCORDANCE WITH THE FLORIDA BUILDING CODE AND WELLINGTON'S LAND DEVELOPMENT REGULATIONS. THE BURDEN IS ON THE PROPERTY OWNER TO ESTABLISH THE EXEMPTION.

Attach all required documentation to demonstrate compliance with A, B, C, D and E above

|   |
|---|
| <p><b>For Internal Use Only-Required Agency Approval</b></p> <p><input type="checkbox"/> Building Department _____</p> <p><input type="checkbox"/> Planning and Zoning Department _____</p> <p><input type="checkbox"/> Palm Beach County Fire Rescue _____</p> |
|---|

**REQUIRED INFORMATION**

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**Owner:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Type of Structure:** \_\_\_\_\_

**Occupancy/Intended Use:** \_\_\_\_\_

**(Describe agricultural use of building; if a non-agricultural use is also proposed, provide the percentage of the structure being used by each use.)**

**Enclose the following:**

- Sketch of the building on the Survey indicating building location in relation to:  
a) Water Well, b) Drainage Easement, c) Bodies of water, d) Septic systems and drain field. (see BMP's brochures on our website)
- Elevation Certificate (If building is located in Special Flood Hazard Area Zone "AO")  
a) Proposed or before construction
- Agricultural Land Classification Documentation (Provided by Palm Beach County Property Appraiser)
- Sketch of the farm fence or farm sign, if applicable
- Copy of Business Tax Receipt (BTR)

**Required Permits:**

If the exemption is for the construction of a building (not a fence or a sign), a Village of Wellington Paving, Grading and Drainage Permit is required. Please contact Wellington’s Engineering Department for information.

**Required Inspections:**

- Building final (for structures located in SFHA Special Flood Hazard Area “AO”) Provide final Elevation Certificate.
- Engineering final for stormwater management system improvements/modifications and compliance with all adopted “Best Management” practices

**DECLARATION OF PROPERTY OWNER**

**I/WE UNDERSTAND THAT THIS FORM, TOGETHER WITH ALL DOCUMENTS PROVIDED IN SUPPORT OF IT, CONSTITUTES MY/OUR APPLICATION FOR AN EXEMPTION UNDER F.S. 604.50 AND IS PART OF THE OFFICIAL RECORD OF THE WELLINGTON BUILDING DIVISION. UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING APPLICATION AND SUPPORTING DOCUMENTS AND THAT THE FACTS STATED IN THEM ARE TRUE. FURTHER, I UNDERSTAND THAT ANY KNOWINGLY FALSE INFORMATION PROVIDED MAY CONSTITUTE PERJURY, A FELONY OF THE THIRD DEGREE, AND THAT WELLINGTON WILL PURSUE ALL LEGAL REMEDIES AVAILABLE TO IT.**

\_\_\_\_\_  
**OWNER**

\_\_\_\_\_  
**DATE**