

APPLICATION FOR DRIVEWAY AND/OR CULVERT INSTALLATION OR MODIFICATION

City of Fellsmere, 22 S. Orange Street, Fellsmere, Florida 32948

Phone: 772-571-1616 Fax: 772-646-6355

THIS PERMIT IS VALID FOR SIX (6) MONTHS FROM DATE OF ISSUANCE

Installation of new driveways, patios or culverts or modification to existing driveways, patios or culverts requires a permit to ensure compliance with applicable rules and regulations of the City. If permits from State or Federal agencies are also required, such permits must be obtained prior to commencing construction. Please contact the Community Development Department to determine if State or Federal agency permits are required. All new driveway connections to swale roadways require a culvert. **Driveways are generally regulated by Section 7.7 of the Land Development Code. Culverts are regulated by Article IV of the Code of Ordinances.**

APPLICATION FOR: Driveway _____ Culvert _____ (Please select those that apply)

SITE LOCATION: _____
Address of Property on which driveway and/or culvert is to be constructed or modified.

HOME OWNER:

Name _____ Phone _____
Address _____ Mobile _____
_____ Email _____

APPLICANT'S CONTRACTOR (if applicable)

Company _____ Phone _____
Name _____ Mobile _____
Address _____ Fax _____
_____ Email _____

If Applicant is not owner of property on which a driveway, patio and/or culvert is to be constructed or modified, provide signed authorization from owner permitting the work and acknowledging responsibility for all fees, fines, and property encumbrances that may be imposed as a result of this application.

Signature of Applicant Date

Application Requirements – TWO COPIES OF EACH APPLICABLE ITEM

1. Application Fee as set by resolution of the City Council.
2. For multifamily or nonresidential development, a copy of the approved site plan indicating the location of the proposed driveway or patio or modification thereto. At the discretion of the Public Works Director, a site sketch may be used in lieu of a site plan.
3. For single family homes on a lot of record, a survey or sketch of property indicating the location of the proposed driveway or patio or modification thereto.
4. Construction details sufficient to allow for inspections to determine compliance with the installation requirements for the type of driveway or patio to be constructed.
5. Culverts shall be constructed to the standards set forth by the City. Please contact the Public Works Department to obtain a copy of the culvert design and construction standards.
6. If the property is not owned or is owned only in part by the applicant, a notarized letter must accompany the application giving written consent by all property owners of the subject property.

FOR CITY USE ONLY:

Property Folio No. _____ Comments: _____
Fee Due _____ Receipt # _____ Receipt Date _____
Ownership Verified: Yes _____ No _____
Paved _____ Unpaved _____ Approved _____ Denied _____ Date _____

DRIVEWAY INSPECTIONS

Form Board _____ Final _____

CULVERT INSPECTIONS

Form Board _____ Final _____

Sec. 7.7. - Driveways, parking pads, patios and decks.

- A. *Permit required.* It shall be unlawful for any person to construct, alter or relocate a driveway, parking pad, patio or deck without first obtaining a validly issued permit from the city and paying the appropriate fee as set by resolution of the city council. No driveway, parking pad, patio or deck permit shall be issued unless in compliance with the regulations set forth herein. To obtain a driveway, parking pad, patio or deck permit, the property owner shall submit to the city manager or designee or such other office as may be designated by the city, a completed application form provided by the city. The application shall be reviewed for a determination of whether the proposed driveway, parking pad, patio or deck meets the applicable requirements of the Florida Building Code, if applicable, this article and any applicable zoning law.
- B. *Permit application review.* An applicant shall deliver a permit application to the city manager or designee. The permit application shall be reviewed for a determination of whether the proposal meets the applicable requirements of the Florida Building Code, if applicable, this article and any applicable zoning law. The review of the permit application shall be completed within ten days of receipt of a permit application and any applicable fees, not counting the day of receipt and not counting any Saturday, Sunday, or legal holiday which falls between the first or the tenth day after the date of receipt. The city manager or designee shall approve, approve with conditions (meaning legal conditions existing in the city's Code such as dimensional requirements), or deny the permit application and shall state the reason(s) for any denial in writing and on the application. If denied because of failure to decide upon the application within the deadline set forth, the city manager or designee shall upon request, refund any applicable fee to the person who paid the fee. In the event no decision is rendered within ten days following submission, the application shall be deemed denied and the applicant may appeal to the board of adjustment.
- C. *Time limit.* Any permit for a driveway, parking pad, patio or deck shall expire automatically within six months if an inspection has not been passed by the city. An extension may be granted upon request for up to six months.
- D. *Violations.* If the work under any driveway, parking pad, patio or deck permit is proceeding in violation of the Florida Building Code, this article, any other ordinance or resolution of the city, or should it be found that there has been any false statement or misrepresentation of a material fact in the application or plans on which the permit was based, code enforcement action shall be initiated.
- E. *Driveways, parking pads, patios and decks.* Driveways, parking pads, patios and decks shall be set back at least five feet from the side and rear property lines but shall not encroach into any easement of record. Said structures shall also be set back at least ten feet from any canal, shoreline or bulkhead, except that a plastic or pressure-treated wood deck along a canal or lake may be built to the rear lot line if the following conditions are met:
1. The deck flooring is constructed with nominal two-inch-thick boards, which shall be spaced

approximately one-eighth-inch apart.

2. The deck does not exceed the height of the finished floor level of the principal structure or 30 inches above the finished grade or bulkhead cap, whichever is lower.
3. Where decking will be installed over lawns and yard areas which drain toward a body of water, soil-erosion protection shall be installed under the decking to prevent erosion and discharge of the underlying soils into the water body from overland flow of water or rainfall, one of the following methods of stabilization shall be constructed:
 - a) A cellular soil-confinement system with minimum height or thickness of cells to be one and one-half inches. In-place soils or other granular material shall be used to fill the cells and anchor the confinement system into the ground. All installations shall be in accordance with the manufacturer's instructions and guidelines.
 - b) Permeable geotextile fabric covered with a six-inch to 12-inch blanket of gravel or stone. The perimeter of the geotextile fabric shall be anchored into the underlying soils in accordance with the manufacturer's instructions and guidelines.
 - c) Other systems and methods if it can be shown to the city manager or designee that their use will not allow soil erosion greater than the methods in a. and b., above.
4. On any nonresidential lots, development's access shall be governed through site plan and building permit or other permitting process.

F. *Driveways at rights-of-way.*

1. All lots within the city shall conform to the following driveway requirements, as applicable:
 - a) Except for single-family and duplex lots, a minimum of one driveway per lot shall be permitted for properties with up to 200 feet of street frontage, and an additional driveway shall be permitted for each additional 200 feet. Driveways shall be located at least 50 feet apart measured from the closest driveway edge at the right-of-way line, and at least 50 feet from the nearest street intersection measured from its nearest right-of-way line. No driveway or curb cut shall be permitted on the radii of any intersection. During the site plan review process, the city council may increase the above distances for public health, safety and welfare purposes.
 - b) For all single-family and duplex lots, no driveway or curb cut shall be located in any side easement or within 35 feet of any intersection, measured from the closest edge of the driveway to the right-of-way line of the side street. Side easements may be used for corner lots; for side facing garages; or when it is appropriate to the type of development. The total aggregate width of all driveways on said lots shall not exceed 36 feet.
 - c) Except for single-family and duplex lots, driveways shall be at least 15 feet wide for one-way traffic and 24 feet wide for two-way traffic, measured at the right-of-way line.
 - d) All driveways, except for single-family and duplex lots, shall be constructed of concrete, paving, paver blocks, gravel or similar materials with a minimum of 15 feet in width from

the street to the garage or required parking stall. For all single-family and duplex lots all driveways may be constructed of concrete, paving, paver blocks, gravel or similar materials with a minimum of ten feet in width from the street to the garage or required parking stall.

- e) Sharing of common driveway. Adjacent developments may share a common driveway, provided that appropriate easements are granted between adjacent property owners in a form acceptable to the city attorney.

G. *Tennis courts.* The purpose of these provisions is to provide an opportunity for development of tennis and similar recreational courts as accessory uses in residential districts, to protect the integrity of neighboring residential areas, and to mitigate any deleterious impacts on proximate properties. Tennis courts and similar recreational courts may be developed as accessory uses in planned residential districts or on lots greater than one acre in size, when such courts are located on the same lot as the main residential use subject to the provisions of this section.

1. *Tennis court fencing requirements.*

- a) Fences up to ten feet in height, as measured from the finished grade outside the court, shall be permitted, when located behind the required setback areas.
- b) For court fencing located at least 25 feet from all property lines, a fence height of 12 feet shall be allowed.
- c) All portions of fencing exceeding six feet in height shall be of an open mesh such as chain link. Such chain link shall be decorative green or black.
- d) Windscreens and similar devices shall be prohibited above the six-foot height.

2. *Landscaping and screening.* All courts visible from the public streets shall be screened by landscaping. Landscaping shall be submitted to the city manager or designee for approval and must indicate plants of sufficient height and density to screen the court.

3. *Artificial illumination.* Artificial illumination of tennis courts shall be subject to a conditional use permit.

G. *Final inspections.* Prior to approval of a final inspection related to a driveway, parking pad, patio or deck, the applicant shall have removed all excess materials and construction items related to the project, returned the site to a neat and orderly appearance, and stabilized all exposed dirt from erosion by means of sod, mulch, and/or seeding.

(Ord. No. 2011-02, § 3(Exh. A), 7-7-2011; Ord. No. 2017-04, § 3(Exh. A), 3-16-2017)

ARTICLE IV. - CULVERTS

Sec. 70-71. - Permit required for installation or alteration.

Before any culvert is installed over city rights-of-way or before any addition or change is made to existing culverts, the owner, contractor or person installing the culvert shall apply for a permit from the city for such installation, addition or change.

(Code 1974, § 17-19; Ord. No. 98-05, § 2, 3-5-98)

Sec. 70-72. - Required material; size.

- (a) Culverts with concrete headwalls are required for all driveways crossing a drainage facility within a city right-of-way along paved roadways. No one may block the flow of water within a drainage facility.
- (b) Culverts to be installed within city right-of-way must be made of galvanized steel, or other approved material, with a 12-inch minimum diameter and a minimum length of 15 feet. The exact size may vary from location to location. In no case shall the size of the culvert be less than the minimum.
- (c) Concrete headwalls with mitered ends shall be formed and inspected by the public works director or designee, prior to pouring concrete. After the concrete is cured, the form boards shall be removed and the culverts shall be cut-off flush with the mitered end of the headwalls. Required construction specifications and details for mitered ends are on file in the community development department.

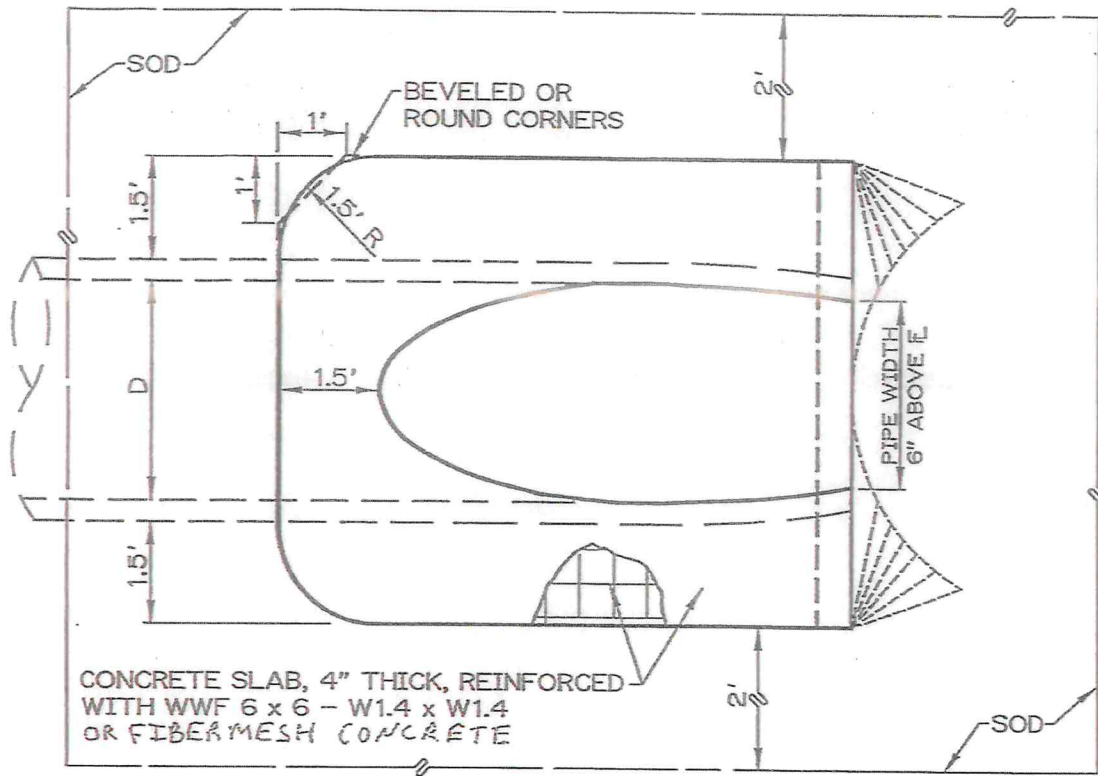
(Code 1974, § 17-20; Ord. No. 98-05, § 2, 3-5-98; Ord. No. 2003-6, § 2, 3-6-03; Ord. No. 2019-12, § 2(Exh. A), 8-15-19)

Sec. 70-73. - Installation and maintenance.

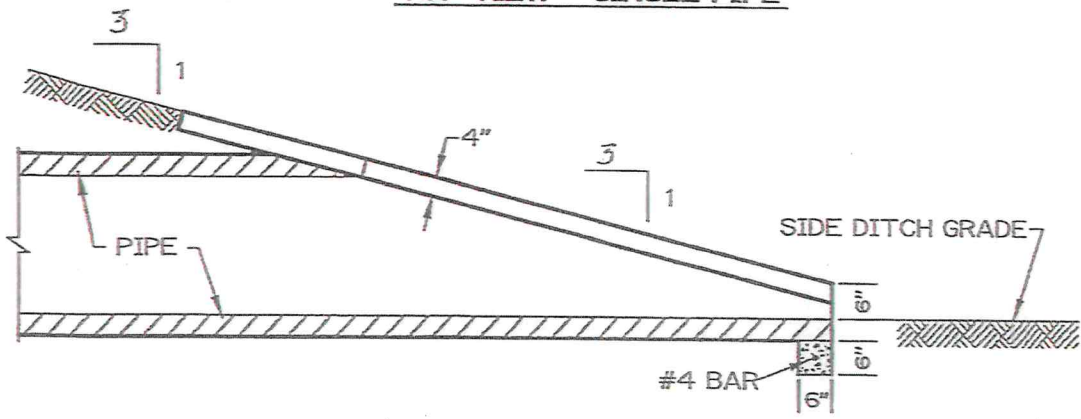
- (a) Property owners will install and maintain the culverts adjoining their property. No culvert may be plugged or broken to the point of restricting the flow of water through the culvert. Clearing of natural deposits of sediment shall be performed by public works for culverts that lie within the original Town of Fellsmere according to the plat thereof recorded in Plat Book 2, Pages 2 and 3, Public Records of St. Lucie County, now lying in Indian River County or the limits of the plats of the Hall, Carter & James Subdivision according to the plats thereof recorded in Plat Book 3, Page 31 and Plat Book 2, Page 98, Public Records of St. Lucie County, now lying in Indian River County or the limits of the plat of the Lincoln Park Subdivision according to the plat thereof recorded in Plat Book 1, Page 60, Public Records of Indian River County, shall be governed by the following standards. Any culvert replaced must meet the minimum standards as provided in this article.

(b) Culvert elevation shall be established by public works.

(Code 1974, § 17-21; Ord. No. 98-05, § 2, 3-5-98; Ord. No. 2019-12, § 2(Exh. A), 8-15-19)



TOP VIEW - SINGLE PIPE

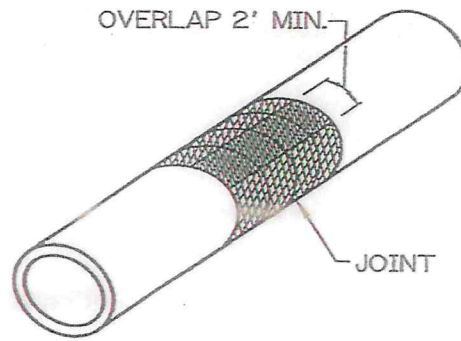


SECTION

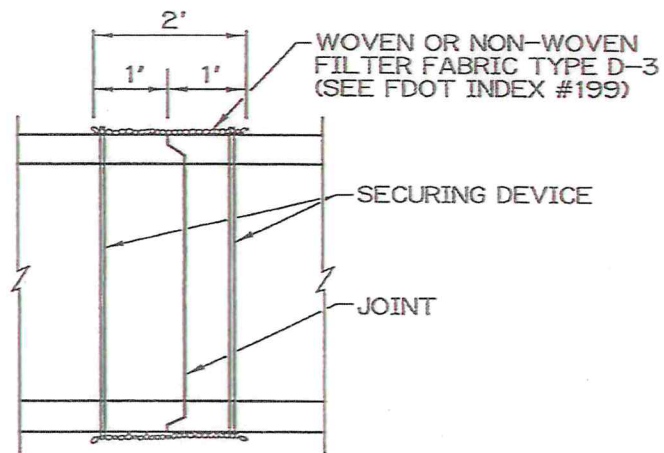
MITERED END SECTION

(N.T.S.)

	PUBLIC WORKS DEPARTMENT	STANDARD DRAINAGE DETAIL	DATE: _____
			APPROVED: _____



(ELLIPTICAL PIPE SHOWN)
ISOMETRIC VIEW



PIPE SECTION

FILTER FABRIC JACKET
(FOR ALL PIPE - CONCRETE PIPE SHOWN)

FDOT #280 - FILTER FABRIC JACKET
(N.T.S.)

	<p>PUBLIC WORKS DEPARTMENT</p>	<p>STANDARD DRAINAGE DETAIL</p>	<p>DATE: _____ APPROVED: _____</p>
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