



## **MINIMUM PERMIT REQUIREMENTS FOR DRIVEWAY IMPROVEMENTS IN THE SWALE**

Driveway areas on private property are permitted and inspected by the Building Department. Driveway areas in the public right-of-way are permitted and inspected by the Department of Environmental and Engineering Services. The area between a sidewalk and the road (generally referred to as the swale) is often public right-of-way. Most single-family residential properties without a sidewalk in front also have a publicly-owned swale. Please refer to the primary City Code reference given below for limitations and restrictions.

To receive approval for the above mentioned construction the following must be submitted:

- Engineering Permit Application
- Sidewalk Repair and Hold Harmless Agreement Letter (if applicable)
- Owner/Builder Affidavit (if work is being completed by the property owner, not a contractor)
- Sketch or drawing of proposed construction (3 copies)
  - Show dimensions of the existing and proposed driveway
  - Show dimensions from the proposed driveway edge to the closest side property line
  - Specify if concrete, asphalt, or paver driveway is proposed
  - If concrete driveway is proposed, include concrete footing detail meeting city standard
  - Existing sidewalk may remain or be replaced with new concrete sidewalk meeting city standards (Sidewalk Repair and Hold Harmless Agreement Letter may be required)
- Construction cost estimate for work
  - If work is being completed by the property owner, include the cost of materials only
  - If work is being completed by a contractor, include the cost of material and labor (the signed contract is normally sufficient)
- Fees and bonding (paid at the time of permit issuance)

PERMIT FEES: None

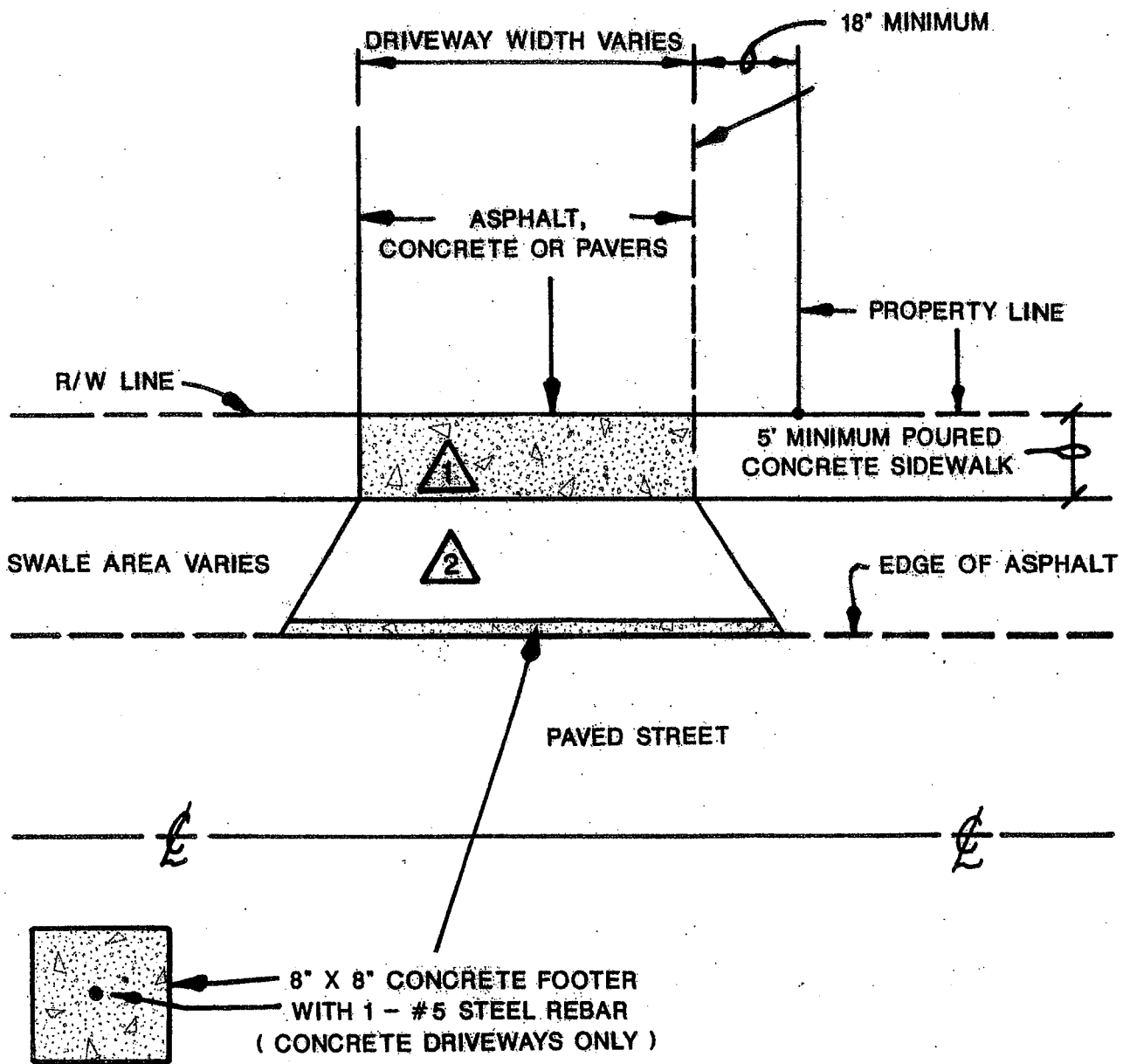
INSPECTION FEES: Inspection fees are 5.5% of the construction cost

PERFORMANCE BOND: The refundable bond amount is 125% of the construction cost (cash, check, or by surety)

PRIMARY CITY CODE REFERENCE: City Code Section 23-6 (A), Section 35-0.2, and Appendix A Section 32.3 and 32.4 (see attached code language)

**THE PERMIT APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE MINIMUM DOCUMENTATION. OTHER DOCUMENTS MAY BE REQUIRED, DEPENDING UPON THE SPECIFIC PROJECT CONDITIONS.**

*Revised 01/08/2020*



SECTION VIEW



4 INCH - 3000 PSI POURED CONCRETE WITH 10/10 WIRE MESH ON DRIVEWAYS OR 6 INCH POURED CONCRETE



ASPHALT, CONCRETE OR PAVER DRIVEWAY TO MATCH SWALE GRADE BETWEEN SIDEWALK AND PAVEMENT

# DRIVEWAY DETAIL

FEBRUARY 26, 2001

## **Sec. 23-6. - Driveway limitations, landscaping abutting right-of-way, visual clearance.**

- (A) *Driveways.* The following regulations shall apply to all driveways constructed or modified after the effective date of this article:
- (1) In multi-family residential developments the maximum width of a driveway connection shall be sixty-five (65) feet for two-way vehicular movement that has a divided entrance with center island, thirty-six (36) feet for two-way vehicular movement and fourteen (14) feet for one-way vehicular movement.
  - (2) For all lots containing single-family detached dwellings and duplex detached dwellings:
    - (a) All lots with forty-five (45) feet, or less, of street frontage shall be permitted to install a maximum cumulative total driveway connection(s) width up to eighteen (18) feet.
    - (b) All lots with more than forty-five (45) feet of street frontage may have a single driveway connection no greater than twenty-seven (27) feet in width, or forty (40) per cent of total street frontage, whichever measurement is less. If an additional driveway connection is desired for a circular driveway design, then the lot may have up to a cumulative total of thirty-six (36) feet of driveway width, or forty (40) per cent of total street frontage, whichever measurement is less. Portions of a driveway located on private property shall also be subject to the width limitations described above.
    - (c) All lots located within a Planned Residential Community (PRC) or Planned Unit Development (PUD) zoning district, and having no on-street parking available on the immediately adjacent roadway, may have a maximum cumulative total driveway width of twenty-seven (27) feet.
    - (d) The minimum driveway setback shall be eighteen (18) inches from any side property line.
    - (e) If an additional driveway connection is requested for circular driveways, or other similar designs utilizing two (2) driveway connections, the driveway connections must be separated by a minimum of twenty (20) feet.
    - (f) The apex of any circular driveway shall be setback a minimum of eight (8) feet from the property line.
    - (g) Each single-family detached dwelling and duplex detached dwelling shall be permitted a maximum of two (2) driveway connections, subject to the criteria above.
      - (i) As an exception, corner lots may have one (1) additional driveway connection on the street side yard. This connection shall not be greater than ten (10) feet in width, and shall be used for access to the rear yard. This additional driveway must be setback a minimum of five (5) [feet] from the rear property line, and shall not connect to the primary driveway in the front yard.
  - (3) In commercial, mixed use, and industrial developments the maximum width of a driveway connection shall be forty (40) feet for two-way driveways and fourteen (14) feet for one-way driveways.
  - (4) In multi-family residential, commercial, industrial, and mixed use districts, no more than one (1) two-way, or two (2) one-way driveways shall be permitted for any street frontage of two hundred (200) lineal feet or less. The minimum spacing of two-way driveways shall be two hundred (200) feet from any other driveway. The minimum spacing for one-way driveways shall be eighty (80) feet from any other driveway. Abutting properties are encouraged to share driveway connections where possible.
  - (5) All driveways shall be located as far away from street intersections as possible.

- (6) Backout parking, i.e. a parking lot design which forces vehicles to use a public right-of-way to maneuver into or out of a parking stall, is prohibited except for one- and two-family sites fronting on local streets. Driveways connecting same are considered to be one-way. This provision is not intended to regulate on-street parking.

(Ord. No. 85-36, § 1, 9-18-1985; Ord. No. 2202-12, § 1, 9-18-2002; Ord. No. 2005-03, § 1, 2-16-2005; Ord. No. 2006-01, § 1, 2-15-2006; Ord. No. 1500.589, § 1, 7-3-2012; [Ord. No. 1500.609, § 1, 12-10-2014](#).)

### **Section 32.3. - Street paving [standards; improvements performance bonds; permits required.]**

- (A) [ *Street paving standards generally.* ] The below enumerated items shall conform to the requirements of the latest edition of the Florida Department of Transportation's Standard Specifications for Road and Bridge Construction and supplements.
  - (1) Earthwork.
  - (2) Clearing and grubbing.
  - (3) Preparation of roadbed.
  - (4) Rock base.
  - (5) Finishing rock base.
  - (6) Priming.
  - (7) Base course materials.
  - (8) Surface treatment—Asphaltic concrete.
  - (9) Concrete curb and gutters.
  - (10) Underground storm drains.
  - (11) Pavement markings and traffic signs.
- (B) *Minimum [pavement] widths.* All street pavements shall be not less than twenty-four (24) feet and, in addition, shall have a two-foot curb and gutter integral and paralleling each side of pavement, if required.
- (C) *Performance bonds.* It shall be necessary for any person, developer, owner or owners to furnish to the City of Margate a good and sufficient performance bond for all of the required street pavement, sidewalks and drainage facilities to be constructed within dedicated or proposed rights-of-way. Said bond shall also secure proper installation of water and sewer lines in accordance with approved specifications and plans. The required performance bond shall be calculated at one hundred twenty-five (125) per cent of the construction costs of the above-required facilities.

Said bond shall be furnished by a surety company of recognized standing, authorized to do business in the State of Florida and having a resident agent in Broward County. Provided, however, that the subdivider, owner or owners may, at his or their option, furnish cash or government bond security in the same amount. The subdivider may also submit an irrevocable letter of credit to the city in place of the preceding forms of security. All irrevocable letters of credit shall be such as are acceptable at a reasonable prudent lending institution and shall be acceptable only with the approval of either the city manager or his designee.

All improvements shall be completed within a period not to exceed eighteen (18) months. However, the city may extend the time of completion based upon a showing of good cause.

The subdivider, owner or owners shall be responsible for the paving and other improvements mentioned above until said work is accepted by the city and the bond released.

Minimum standards and permits for the excavation and construction of all canals, ditches and swales as provided for herein shall be adopted by separate ordinance, which separate ordinance shall be construed in conjunction with this section.

The performance bond required hereby shall not be released until, in addition to compliance with all of the requirements of the subdivision and platting regulations and ordinances of the city, all street lights and street markers are in place within the subdivision.

(D) *Permits required.* A permit is required for all construction in the public rights-of-way, or proposed rights-of-way under City of Margate jurisdiction. Such permits shall only be issued by the engineering department.

The rights-of-way under City of Margate jurisdiction are those lands dedicated, deeded, used or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress or egress or other purpose by the public.

The proposed rights-of-way are those lands to be developed prior to dedications and platting and upon completion to be dedicated to the public.

No permit will be issued for work in any right-of-way or proposed right-of-way until the required fees have been paid, and all required performance and maintenance bonds have been posted.

The inspection fee shall be equal to the sum of five and one-half (5.5) per cent of the construction costs as required by subparagraph (A) above, or when the actual contractual cost or engineer's estimate for a project is in excess of one million dollars (\$1,000,000.00), the fees shall be the actual cost of engineering services as determined by the city engineer. The five and one-half (5.5) per cent fee shall cover the administrative and engineering costs for the inspection of streets, paving, drainage facilities and all other improvements required to be constructed by the developer, subdivider or owner. As an alternative to the payment of five and one-half (5.5) per cent of the performance bond at the time of filing a plat, a separate performance bond as provided in subparagraph (C) above may be submitted to the city to guarantee inspection fees. Said bond shall be submitted at the time of plat approval. Twenty-five (25) per cent of the fee shall be paid thirty (30) days prior to construction, twenty-five (25) per cent of the inspection fees shall be paid within sixty (60) days of the initial payment, and the balance (or final fifty (50) per cent) of all inspection fees shall be paid at such time as the city engineer determines that fifty (50) per cent of the total project is completed.

(Ord. No. 1500.00, § 4.3, 10-25-1967; Ord. No. 1500.28, § 1, 12-10-1969; Ord. No. 1500.41, §§ 1—3, 6-24-1970; Ord. No. 1500.72, § 1, 7-19-1972; Ord. No. 1500.89, § 1, 5-23-1973; Ord. No. 75-21, § 1, 10-1-1975; Ord. No. 1500.116, § 8, 7-21-1976; Ord. No. 78-4, § 1, 2-1-1978; Ord. No. 78-12, § 11, 6-21-1978; Ord. No. 1500.258, § 1, 6-6-1984; Ord. No. 1500.303, § 1, 7-2-1986; Ord. No. 1500.320, § 1, 5-6-1987; Ord. No. 1500.408, § 1, 3-7-1990)

**Cross reference**— Subdivision requirements generally, § 31-1 et seq.; streets generally, Ch. 35; drainage, Ch. 11; fire hydrants, Ch. 14, § 39-4 et seq.; installation of water mains in platted areas, § 39-1 et seq.; sewer construction, § 39-39 et seq.

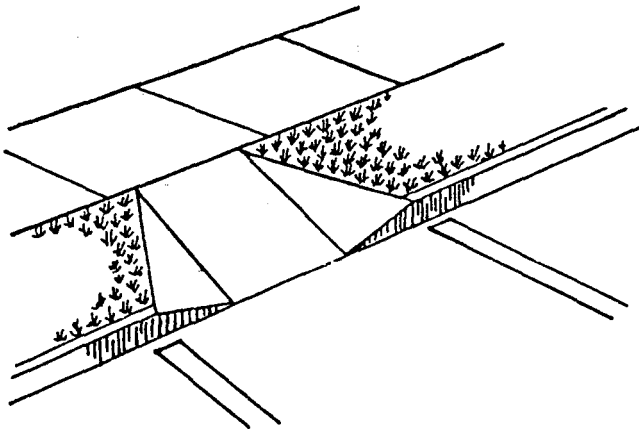
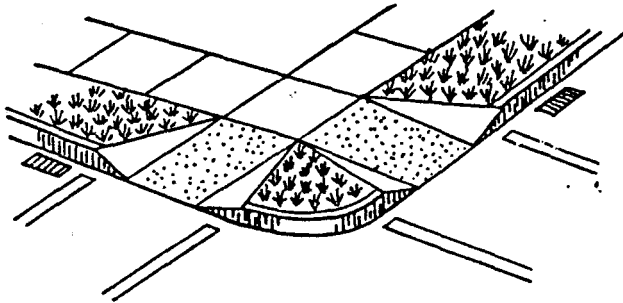
## **Section 32.4. - Sidewalks.**

All sidewalks shall be constructed of two thousand five hundred (2,500) psi concrete not less than five (5) feet in width for public dedicated rights-of-way and four (4) feet for private rights-of-way, or as specified in each TOC district, and having a thickness of not less than four (4) inches, provided, however, that all sidewalks crossing a vehicular driveway shall have a thickness of not less than six (6) inches.

- (1) *Location.* All sidewalks shall be parallel to and extend not less than five (5) feet from the street right-of-way side line into the street right-of-way and parallel to street curbing and pavement.
- (2) *Rough grading.*
  - (a) *Clearing.* Scarify the area where vegetation occurs to a minimum depth of six (6) inches until all vegetation and other unsuitable materials are loosened and removed from the site.
  - (b) *Grade.* To proper elevation for specified minimum thickness of all sidewalks.
  - (c) *Additional fill.* If required shall be clean foundation sand mechanically compacted to achieve a solid grade.
- (3) *Installation of wheelchair ramps.* Wheelchair ramps shall be installed for any new construction of sidewalks and for any repair of sidewalks involving twenty-five (25) feet or more of pavement adjacent to a corner or pedestrian crossing.
  - (a) Wheelchair ramps shall be provided at all intersections where curbs and sidewalks are constructed in order to give handicapped persons and persons in wheelchairs safe access to street crossings. (See Exhibits "A" and "B.")
  - (b) Wheelchair ramps shall be constructed to be in substantial conformance with the Americans with Disabilities Act (ADA Handicapped Code) and the Uniform Federal Accessibility Standards published by the General Services Administration, Department of Housing and Urban Development, Department of Defense, and the United States Postal Service.
- (4) Installation of pedestrian refuges. Pedestrian refuges shall be installed on all rights-of-way that contain a center median. Such refuges shall be a minimum of four (4) feet in width. (See Exhibit "C.")

(Ord. No. 1500.00, § 4.4, 10-25-1967; Ord. No. 1500.199, § 1, 11-19-1980; Ord. No. 1500.420, § 1, 5-20-1992; Ord. No. 1500-546, § 9, 10-15-2008)

## EXHIBIT "A"



### Sec. 35-0.2. - Maintenance of driveway connections.

- (a) *Definition.* A "driveway connection" shall be defined as any paved area connecting a privately owned driveway, parking lot, or street with a public thoroughfare or street. A driveway connection shall include any paved portion as defined above from the street or public thoroughfare to the abutting private property line. It shall specifically include paved portions as define above which traverse sidewalks and swales.
- (b) *Persons responsible.* All driveway connections shall be maintained by the owner or owners of the property which said driveway connections serve.
- (c) *Standards.* The above owner or owners of property served by any driveway connection in the city shall keep said driveway connection in a safe and suitable condition for all individuals, including

motorists and pedestrians who may traverse same. Said owners shall keep said driveway connection free of potholes and such other defects which may reasonably pose a danger to the public or said owner or guests or business invitees.

- (d) *Temporary repair by city.* Should the owners of property served by any driveway connection within the city allow said driveway connection to deteriorate to such a condition that it poses a danger to the public and/or guests or business invitees to the property served by the driveway connection, the department of public works shall be authorized, in the discretion of the city manager, director of public works or the police chief, to repair said driveway connection on an emergency basis and make said driveway connection temporarily safe. Said repair shall be made only after reasonable notice to the owner of the property served by a deteriorating driveway connection, or without notice if an urgent situation exists.
- (e) *Reimbursement of expense of temporary repairs; enforcement by lien.* Should it be necessary for the department of public works to repair and driveway connection within the city as described in subsection (d), the city shall be entitled to full reimbursement of all funds expended for material and labor in repairing same. The city clerk is hereby authorized to file a lien upon any property served by a repaired, deteriorated driveway connection.
- (f) *Injunction; other legal action.* The city attorney is hereby authorized to enjoin violations of this section and to take whatever legal action is necessary to obtain compliance with same.

(Ord. No. 1500.151, § 1, 12-20-1978)

**Editor's note**— Ord. No. 1500.151, § 1, adopted Dec. 20, 1978, amended this Code by adding provisions to be designated Art. III of Ch. 18, [currently Ch. 35]. For purposes of classification, and at his discretion, the editor has designated said provisions as § 35-0.2.