

ORDINANCE NO. 614

AN ORDINANCE AMENDING ORDINANCE NO. 568 "LAND DEVELOPMENT REGULATIONS," SECTION 3.01.03 "BUILDING SETBACK REQUIREMENTS"; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that it is in the best interests of the people of the City of Mexico Beach that this ordinance be enacted, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF MEXICO BEACH, FLORIDA:

Section 1. Section 3.01.03 "Building Setback Requirements," of Ordinance No. 568 is hereby amended from the City of Mexico Beach Land Development Regulations to reflect Attachment A to this ordinance.

Section 2. All ordinances or parts of ordinances thereof in conflict with the provisions of this ordinance are hereby repealed.

Section 3. **Severability.** If any section, sentence, clause, or phrase of this Ordinance, including attachments to this Ordinance, is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. This ordinance shall take effect upon passage.

INTRODUCED at the July 8, 2014 Regular Meeting of the City Council and ADOPTED at the Regular Meeting of the City Council on the 12th day of August, 2014.

[Handwritten signature]

CITY COUNCIL OF THE CITY OF MEXICO
BEACH, FLORIDA

(SEAL)

By: 
William A. Cathey, Mayor

ATTEST:


Adrian D. Welle, City Clerk

3.01.03 Building Setback Requirements

A. Minimum Setbacks on Front, Side, and Rear Yards

1. The required minimum setbacks for front, side, and rear yards are as listed in the following table.

Land Use District	Front**	Side	Rear***	Corner
Residential Low-Density	20'	7.5'	10'	10'
Residential General	20'	7.5'	10'	10'
Tourist-Residential	20'	7.5'	10'	20'
Tourist-Commercial	12'	none*	20'	12'
General Commercial	12'	none*	20'	12'
Public/Institutional	20'	7.5'	10'	20'
Recreational	20'	7.5'	10'	20'

* Lots which abut residential property require a minimum of five (5) feet from the building to the adjacent property line.

** If the site is adjacent to a major arterial roadway, the front setback for the site will be that portion abutting the arterial roadway in all zoning categories.

*** Storage buildings may be placed within five (5) feet of the rear property lines.

2. The structure may be built on the property line provided the owner shall grant an attachment easement to the adjacent property owner(s) in Tourist Commercial and General Commercial only.

B. Minimum Setbacks Between Buildings

1. The minimum distance between adjacent buildings shall be ten (10) feet, except that no setback between buildings is required where an attachment easement has been created pursuant to paragraph C of this Section.
2. Distance shall be measured at the narrowest space between structures, whether a main living unit, principal structure, an allowable attachment, or an accessory use, and shall not include roof overhang (eave).
3. Residential structures built either on Tourist Commercial, *Professional Service and Office, Personal Service Businesses*, or General Commercial, property must adhere to Residential building setback requirements as shown in section 3.01.03 Building Setback Requirements with the exception of front setbacks. The front setback remains 12'.

C. Minimum Setbacks for Conservation District

Building setbacks may be greater than stated above when building on sites next to or containing environmentally sensitive land. These setback requirements are listed in Sections 5.02.03-B, 5.03.05-B4, 5.02.05-B, and 5.02.05-2A of this Code.