

**Town of Redington Beach
ORDINANCE NO. 2018 – 04**

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, PINELLAS COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES CHAPTER 6 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE VIII. – SWIMMING POOLS, SECTION 6-234. – LOCATION.; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of the Town of Redington Beach desires to more effectively regulate the construction of swimming pools on Intracoastal frontage properties within the Town, especially as it relates to the construction of swimming pools in relation to seawall construction and maintenance; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach finds that such regulation is in the best interests of the public health, safety and welfare; and

WHEREAS, the Board of Commissioners of the Town of Redington Beach has determined that the amendment of Chapter 6 – Buildings and Building Regulations, Article VIII. – Swimming Pools, Section 6-234. – Location, is necessary to effectively regulate same; and

WHEREAS, the Town's Planning Board, which serves as its Local Planning Agency, has found this Ordinance to be consistent with the Town's Comprehensive Plan and has recommended approval of the amendment to further consistency with the Town's Comprehensive Plan;

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. The foregoing whereas clauses are incorporated herein by reference and made a part of hereof.

Section 2. This ordinance amends Chapter 6 – Buildings and Building Regulations, Article VIII. – Swimming Pools as follows:

ARTICLE VIII. - SWIMMING POOLS

Sec. 6-234. - Location.

(a) *Gulf-front property.* A swimming pool may be constructed on any property lying between Gulf Boulevard and the Gulf of Mexico, provided the pool is set back at least 20 feet

1 from the Coastal Construction Control Line as said Line is established by the State of Florida,
2 and is at least five feet from the foundation of the residence. Side lot line restrictions shall apply
3 as provided for in appendix A, section 5, of this Code.
4

5 (b) ~~Waterfront property.~~ Intracoastal-frontage property. A swimming pool may be
6 constructed in the rear yard of ~~waterfront~~ Intracoastal frontage property, provided the pool is set
7 back at least 12 feet from the seawall and does not interfere with seawall deadmen or tiebacks,
8 and is at least five feet from the foundation of the residence. If the rear set back is less than 18
9 feet, an inspection by the building official during excavation shall be mandatory. Side lot line
10 restrictions shall apply as provided for in appendix A, section 5 of this Code.
11

12 (c) Non-waterfront property. A swimming pool, ~~in-ground or aboveground,~~ may be
13 constructed in rear yards of inside non-Gulf-front and non-Intracoastal frontage lots, provided the
14 pool is set back at least five feet from the rear lot line and is at least five feet from the foundation
15 of the residence. Side lot line restrictions shall apply as provided for in appendix A, section 5,
16 of this Code.
17

18 (d) Notwithstanding the setback requirements of §§ 6-234 (a) and (b), when the
19 Engineer of Record certifies to the Building Official that the proposed swimming pool along with
20 all existing or proposed seawalls can be safely engineered so that foundations, deadmen,
21 tiebacks, and all other structural features of both the swimming pool and the seawall meet the
22 requirements of the Florida Building Code as well as sound engineering and construction
23 practices, the Building Official may, if the engineering of the seawall and pool so permit,
24 administratively vary the gulf front setback to no less than twelve (12) feet from the Coastal
25 Construction Control Line and the required setback on Intracoastal-frontage properties to no less
26 than five (5) feet from the center of the seawall cap. The certification required by this paragraph
27 shall be in writing to the Town Building Official on a form to be provided by the Town.
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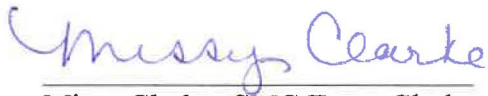
29 For the purposes of this Section, the "Engineer of Record" is defined in Section 10-10
30

31 **Section 3.** If any section, subsection, sentence, clause, provision or word of this
32 Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the
33 remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of
34 the Ordinance shall withstand any severed provision, as the Board of Commissioners would have
35 adopted the Ordinance and its regulatory scheme even absent the invalid part.
36


37 **Section 4.** This Ordinance shall become effective immediately upon final passage and
38 adoption.
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40 **PASSED AND ADOPTED** by the Board of Commissioners of the Town of Redington
41 Beach, Pinellas County, Florida, on this 2nd Day of January, 2019.
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2
3 ATTEST:
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8 Missy Clarke, CMC Town Clerk
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Nick Simons, Mayor

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| | Motion | Seconded | Aye | Nay | Absent |
|---------------------------|--------|----------|-----|-----|--------|
| Commissioner Kornijtschuk | | | X | | |
| Commissioner Dorgan | X | | X | | |
| Commissioner Steiermann | | | X | | |
| Vice Mayor Will | | X | X | | |
| Mayor Simons | | | X | | |