

ORDINANCE NO. 2019-06

AN ORDINANCE OF THE CITY OF MINNEOLA, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE IN SECTIONS 102-85, 102-105, 102-135, 102-165, AND 102-195 TO INCLUDE DESIGN STANDARDS FOR PATIOS AND SCREEN ENCLOSURES AND REGULATE THEIR PROXIMITY INTO THE SETBACKS IN RSF-1, RSF-2, RSF-3, RMF-1, AND RMF-2 ZONING DISTRICTS, PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances for the City of Minneola currently allows screen enclosures for swimming pools in RSF-1, RSF-2, RSF-3, RMF-1, and RMF-2 zoning districts, and

WHEREAS, the City would like to amend the Code of Ordinances to also allow for screen enclosures for patios in RSF-1, RSF-2, RSF-3, RMF-1, and RMF-2 zoning districts, and

WHEREAS, the City Council for the City of Minneola therefore desires to amend Chapter 102 of the Code of Ordinances, relating to buildings or additions thereto encroaching into the setbacks in the RSF-1, RSF-2, RSF-3, RMF-1, AND RMF-2 zoning districts, and

WHEREAS, the City of Minneola finds that this amendment is in the best interest of the citizens of the City,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINNEOLA, FLORIDA:

Section 1. Chapter 102, Section 102-85, Section 102-105, Section 102-135, Section 102-165, and Section 102-195 of the Code of Ordinances of the City of Minneola are hereby amended to read as follows:

Sec. 102-85- Design Standards

(12) Swimming pools, ~~and~~ associated decks, patios, screen enclosures

a. Swimming pools, ~~and~~ associated decks, and patios, with or without screen enclosures, shall maintain a ten-foot setback from any rear property line. The setback from any side property line shall be equal to the setback for the principal structure on the property.

b. Swimming pools, ~~and~~ associated decks, and patios, with or without screen enclosures for lots of a 50x110 dimension or smaller: Swimming pools, ~~and~~ associated decks, and patios, with or without screen enclosures, to be located on lots with a dimension of 50x110 or smaller shall maintain a five-foot setback from any rear property line. The setback from any side property line shall be equal to the setback for the principal structure on the property.

c. Pools, ~~and~~ associated decks, and patios, with or without screen enclosures, shall not be located within the front or side yard of any lot or within any easement.

Sec. 102-105- Design Standards

a. Swimming pools, ~~and~~ associated decks, and patios, with or without screen enclosures, shall maintain a ten-foot setback from any rear property line. The setback from any side property line shall be equal to the setback for the principal structure on the property.

b. Swimming pools, ~~and~~ associated decks, and patios, with or without screen enclosures for lots of a 50x110 dimension or smaller: Swimming pools, ~~and~~ associated decks, and

patios, with or without screen enclosures, to be located on lots with a dimension of 50x110 or smaller shall maintain a five-foot setback from any rear property line. The setback from any side property line shall be equal to the setback for the principal structure on the property.

c. Pools, ~~and~~ associated decks, and patios, with or without screen enclosures, shall not be located within the front or side yard of any lot or within any easement.

Sec. 102-135- Design Standards

(12) Swimming pools, ~~and~~ associated decks, patios, screen enclosures

a. Swimming pools, ~~and~~ associated decks, and patios, with or without screen enclosures, shall maintain a ten-foot setback form any rear property line. The setback from any side property line shall be equal to the setback for the principal structure on the property.

b. Swimming pools, ~~and~~ associated decks, and patios, with or without screen enclosures for lots of a 50x110 dimension or smaller: Swimming pools, ~~and~~ associated decks, and patios, with or without screen enclosures, to be located on lots with a dimension of 50x110 or smaller shall maintain a five-foot setback from any rear property line. The setback from any side property line shall be equal to the setback for the principal structure on the property.

c. Pools, ~~and~~ associated decks, and patios, with or without screen enclosures, shall not be located within the front or side yard of any lot or within any easement.

Sec. 102-165- Design Standards

Design standards in the RMF-1 district are as follows:

- (1) The minimum living area for single-family shall be 1,000 square feet.
- (2) The minimum living area for one and two bedroom duplex and multifamily units shall be 700 square feet.
- (3) The minimum living area for three bedroom or more duplex and multifamily units shall be 1,000 square feet.
- (4) The minimum lot size for single-family shall be 7,150 square feet if central sewer is provided. Should septic tanks be utilized then the minimum lot area shall be 7,500 square feet.
- (5) The minimum lot size for duplex units shall be 7,500 square feet if central sewer facilities are provided. Should septic tanks be utilized then the minimum lot area shall be 9,000 square feet.
- (6) The minimum lot size for multifamily units shall be 9,000 square feet.
- (7) The minimum lot width shall be 75 feet for single-family, duplex, and multifamily dwelling units.
- (8) The minimum lot depth shall be 110 feet if a central sewer is provided. If a central sewer is not available, the minimum lot depth shall be 100 feet.
- (9) There are no maximum floor area ratio requirements.
- (10) The minimum street frontage shall be 50 feet.
- (11) The minimum cul-de-sac frontage shall be 25 feet.
- (12) The maximum impervious surface area, which includes building coverage, shall not exceed 50 percent.
- (13) The minimum open space shall be 15 percent.
- (14) The maximum building height is 35 feet.
- (15) The minimum setback requirements for buildings, including covered patios and covered porches, are as follows:
 - a. *Front yard setback:*
 1. Local roadway—25 feet.

2. Collector roadway—25 feet.
3. Arterial roadway—50 feet.
- b. *Side yard setback when adjoining:*
 1. Another lot—Ten feet.
 2. Local roadway—25 feet.
 3. Collector roadway—25 feet.
 4. Arterial roadway—50 feet.
- c. *Rear yard setback:* 25 feet.

(16) Swimming pools, ~~and~~ associated decks, and patios, with or without screen enclosures, shall maintain a minimum 15- foot setback from any side or rear property line. Pools shall not be located within the front yard of any lot or within any easement.

Sec. 102-195- Design Standards

Design standards in the RMF-2 district are as follows:

- (1) The minimum living area for single-family units shall be 1,000 square feet.
- (2) The minimum living area for one- and two-bedroom duplexes and multifamily units shall be 700 square feet.
- (3) The minimum living area for three- or more-bedroom duplexes and multifamily units shall be 1,000 square feet.
- (4) The minimum lot size for single-family units shall be 7,150 square feet if a central sewer is provided. Should septic tanks be utilized, then the minimum lot size shall be 7,500 square feet.
- (5) The minimum lot size for duplex units shall be 7,500 square feet if central sewer facilities are provided. Should septic tanks be utilized, then the minimum lot size shall be 9,000 square feet.
- (6) The minimum lot size for multifamily units shall be 9,000 square feet.
- (7) The minimum lot width shall be 75 feet.
- (8) The minimum lot depth shall be 110 feet if a central sewer is provided. If a central sewer is not available, the minimum lot depth shall be 100 feet.
- (9) There are no maximum floor area ratio requirements.
- (10) The minimum street frontage shall be 50 feet.
- (11) The minimum cul-de-sac frontage shall be 25 feet.
- (12) The maximum impervious surface area (which includes building coverage), shall not exceed 50 percent.
- (13) The minimum open space shall be 15 percent.
- (14) The maximum building height is 45 feet.
- (15) The minimum setback requirements for buildings, including covered patios and covered porches, are as follows:
 - a. *Front yard setback:*
 1. Local roadway—25 feet.
 2. Collector roadway—25 feet.
 3. Arterial roadway—50 feet.
 - b. *Side yard setback when adjoining:*
 1. Another lot—Ten feet.
 2. Local roadway—25 feet.
 3. Collector roadway—25 feet.
 4. Arterial roadway—50 feet.

c. *Rear yard setback: 25 feet.*

(16) Swimming pools, ~~and~~ and associated decks, and patios, with or without screen enclosures, shall maintain a minimum 15- foot setback from any side or rear property line. Pools shall not be located within the front yard of any lot or within any easement.

Section 2. The following definitions shall be added to Section 82-12 of the Code of Ordinances of the City of Minneola:

A. "Screen enclosure" shall be defined as: A screen structure with no solid vertical or horizontal panels.

B. "Patio" shall be defined as: An outdoor area with a paved or solid floor but no roof.

Section 3. All ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. This Ordinance shall become effective immediately upon passing.

Section 5. The provisions of this Ordinance are intended to be incorporated into the Code of Ordinances of the City of Minneola, Florida, and the sections of this Ordinance may be renumbered, relettered, and the word "ordinance" may be changed to "section", "article", or such other word or phrase in order to accomplish such intention.

Section 6. If any section, sentence, clause, or phrase of 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 portion of this Ordinance.

PASSED AND ORDAINED this 18th day of June, 2019, by the City Council of the City of Minneola, Florida.

Pat Kelley, City Mayor

ATTEST:

April Sheppard, Acting City Clerk

Passed First Reading: 06-04-19

Passed Second Reading: 06-18-19

Approved as to form:

Scott A. Gerken, City Attorney



CODING: Words ~~stricken~~ are deletions; words underlined are additions.