

ORDINANCE NO. 15-804

AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING THE CODE OF THE CITY OF ANNA MARIA AS TO SECTIONS 114-222(4), 114-282(4)(D), AND 114-302(6) OF CHAPTER 114, ZONING, BY CHANGING REQUIREMENTS RELATING TO SWIMMING POOLS AND HOT TUBS AND ADDRESSING RELATED AMENITIES; AND PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA:

SECTION 1: Sub-Section (4), "Swimming Pools", of Section 114-222, "Lot, yard, bulk and parking regulations", of Division 2, "R-1, R-2 Residential District", of Chapter 114, "Zoning" of the Code of the City of Anna Maria, is hereby amended to read as follows:

Swimming pools. Swimming pools and hot tubs permitted after January 1, 2016 shall not be counted as impervious surface coverage, unless Swimming pools and hot tubs permitted prior to January 1, 2016 and swimming pools and hot tubs included within the perimeter of the residence building, enclosed and under a conventional roof shall not be counted as impervious surface coverage, or unless enclosed and roofed separately. Waterfalls, fountain features and pool slides are prohibited. Permits may shall not be issued for the repair or replacement of existing waterfalls, water features or pool slides. All impervious decking surrounding the pool and hot tub shall be counted as impervious surface coverage. Caged and uncaged swimming pools, hot tubs and the swimming pool and hot tub equipment shall be set back from the lot line or property line the minimum setback required for the particular yard with the exception of the side yard setback which shall be ten feet. Uncaged swimming pools located on through lots shall be set back a minimum of five feet from the adjoining lot line or property line if the pool is located in the street yard which does not contain the structure's main entrance. Pools permitted prior to January 1, 2016, shall be deemed as grandfathered related to the side yard setbacks. There shall be only one swimming pool per lot containing a residential unit. The swimming pool shall be for the use of the residential unit only and shall not be for any commercial activity.

SECTION 2: Sub-Sub-Section (d), "Swimming Pools", of Sub-section (4) "Setback requirements" of Section 114-282 "Lot, yard, bulk and parking regulations, of Division 3, "ROR, Residential /Office/Retail District", of Chapter 114, "Zoning" of the Code of the City of Anna Maria, is hereby amended to read as follows:

~~d. Swimming pools. Swimming pools and hot tubs shall not be counted as ground coverage, unless included within the perimeter of the residence building, enclosed~~

~~and under a conventional roof, or unless enclosed and roofed separately. Waterfalls, fountain features and pool slides are prohibited. Permits shall not be issued for the repair or replacement of existing waterfalls, water features or pool slides. All impervious decking surrounding the pool and hot tub shall be counted as ground coverage. The swimming pool and hot tub and the swimming pool and hot tub equipment shall be set back from the lot line or property line the minimum setback required for the particular yard.~~

Swimming pools. Swimming pools and hot tubs permitted after January 1, 2016 shall be counted as impervious surface coverage. Swimming pools and hot tubs permitted prior to January 1, 2016 and swimming pools and hot tubs included within the perimeter of the residence building, enclosed and under a conventional roof shall not be counted as impervious surface coverage. Waterfalls, fountain features and pool slides are prohibited. Permits may be issued for the repair or replacement of existing waterfalls, water features or pool slides. All impervious decking surrounding the pool and hot tub shall be counted as impervious surface coverage. Caged and uncaged swimming pools, hot tubs and the swimming pool and hot tub equipment shall be set back from the lot line or property line the minimum setback required for the particular yard with the exception of the side yard setback which shall be ten feet. Uncaged swimming pools located on through lots shall be set back a minimum of five feet from the adjoining lot line or property line if the pool is located in the street yard which does not contain the structure's main entrance. Pools permitted prior to January 1, 2016, shall be deemed as grandfathered related to the side yard setbacks. There shall be only one swimming pool per lot containing a residential unit. The swimming pool shall be for the use of the residential unit only and shall not be for any commercial activity.

SECTION 3: Sub-Section (6), "Swimming Pools", of Section 114-302, "Lot, yard, bulk and parking regulations, of Division 6, "PSP, Public/Semipublic District", of Chapter 114, "Zoning" of the Code of the City of Anna Maria, is hereby amended to read as follows:

~~(6) Swimming pools. Swimming pools, shell or hole, shall not be counted as ground coverage, unless included within the perimeter of the residence building, enclosed and under a conventional roof, or unless enclosed and roofed separately. All impervious decking surrounding the pool, shell or hole, shall be counted as ground coverage. The swimming pool including the lip of the pool shall be set back from the lot line or property line the minimum setback required for the particular yard.~~

Swimming pools. Swimming pools and hot tubs permitted after January 1, 2016 shall be counted as impervious surface coverage. Swimming pools and hot tubs permitted prior to January 1, 2016 and swimming pools and hot tubs included within the perimeter of the residence building, enclosed and under a conventional roof shall not be counted as impervious surface coverage. Waterfalls, fountain features and pool slides are prohibited. Permits may be issued for the

Prefer repair or replacement of existing waterfalls, water features or pool slides. All impervious decking surrounding the pool and hot tub shall be counted as impervious surface coverage. Caged and uncaged swimming pools, hot tubs and the swimming pool and hot tub equipment shall be set back from the lot line or property line the minimum setback required for the particular yard. Uncaged swimming pools located on through lots shall be set back a minimum of five feet from the adjoining lot line or property line if the pool is located in the street yard which does not contain the structure's main entrance. There shall be only one swimming pool per lot containing a residential unit. The swimming pool shall be for the use of the residential unit only and shall not be for any commercial activity.

SECTION 4. CONFLICTS. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

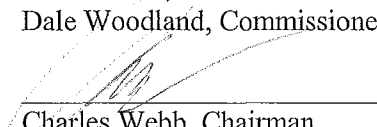
SECTION 5. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Anna Maria. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

SECTION 6. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance on which shall remain in full force and effect.

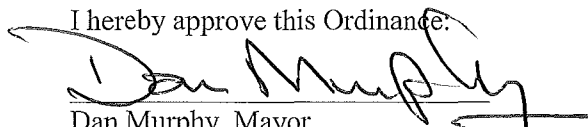
SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED, by the City Commission of the City of Anna Maria, Florida, in regular session assembled, this 4th day of November, 2015.

Doug Copeland, Commissioner
Nancy Yetter, Commissioner
Charles Webb, Commissioner
Carol Carter, Commissioner
Dale Woodland, Commissioner

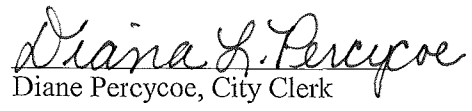

Charles Webb, Chairman

I hereby approve this Ordinance:

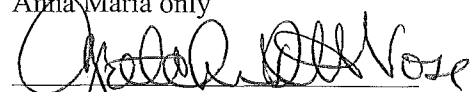

Dan Murphy, Mayor

Nov. 12, 2015

ATTEST:


Diane Percycoe, City Clerk

Approved as to form and legality for
the use and reliance of the City of
Anna Maria only


Gretchen R. H. "Becky" Vose
City Attorney