

INTRODUCED BY:  
MAYOR PRUETTE



ORDINANCE NO. 2016-01

A BILL TO BE ENTITLED

**AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA,  
AMENDING CHAPTER 27, UNIFIED LAND DEVELOPMENT  
REGULATIONS, ARTICLE V, ACCESSORY USES AND  
STRUCTURES, SECTION 27-328 OTHER ACCESSORY  
STRUCTURES, AND PROVIDING AN EFFECTIVE DATE.**

**Whereas**, the City Council of the City of Neptune Beach, Florida has determined that it is necessary to amend the following:

**Now, therefore**, be it ordained by the City Council of the City of Neptune Beach, Florida:

**Section 1.** Chapter 27, Unified Land Development Regulations, Section 27-328. Other Accessory Structures is hereby amended as follows:

Section 27-328. Other Accessory Structures.

(a) Except as provided elsewhere in this article, accessory structures shall be permitted provided that the:

(1) Accessory structures shall not exceed one hundred sixty (160) square feet in area, except as provided elsewhere in this article and shall be located in rear yards and the side yards of interior lots;

(2) Accessory structures shall not be located in front yards, exterior side yards or within three (3) feet of any side yard of an interior lot or rear property lines, in any residential district except as follows:

(a) On multiple frontage lots, through lots and corner lots, accessory structures may only be located in any required interior side yard and/or required rear yard but not less than three (3) feet from any of those lot lines (refer to Figure 27-328-1 and Figure 27-328-2 [at the end of article V]).

(b) Accessory structures (except as provided elsewhere in this article) shall be separated from the principal structure by not less than ten (10) feet and may be located in required side or rear yard, but not less than three (3) feet from any lot line. In addition, no accessory building on a corner lot in a residential district shall project beyond the required front yard building setback line, required corner yard setback, or beyond either plane of the

house (whichever is more restrictive) for either exterior lot line (refer to Figure 27-328-3 [at the end of article V]).

(3) Accessory structures ~~does not exceed~~ are limited to no more than twelve (12) feet in height or fourteen (14) feet in height for a two (2) car garage with a vertical exterior wall height not to exceed eight (8) feet in height.

~~(4) Accessory structures shall not exceed one hundred sixty (160) square feet in area, except as provided elsewhere in this article.~~

(4) Detached garages shall not exceed five hundred (500) square feet in area in the R-3, R-4 and R-5 districts, and shall not exceed seven hundred (700) square feet in the R-1 and R-2 districts, and shall not be located in front yards, exterior side yards or within seven (7) feet of any side yard of an interior lot or within five (5) feet of rear property lines, in any residential district except as follows:

(a) On multiple frontage lots, through lots and corner lots, detached garages may only be located in any required interior side yard and/or required rear yard but not less than seven (7) feet of any side yard of an interior lot or within five (5) feet of rear property lines.

(b) Detached garages (except as provided elsewhere in this article) shall be separated from the principal structure by not less than ten (10) feet and may be located in required side or rear yard, but not less than seven (7) feet of any side yard of an interior lot or within five (5) feet of rear property lines. In addition, no detached garage on a corner lot in a residential district shall project beyond the required front yard building setback line, required corner yard setback, or beyond either plane of the house (whichever is more restrictive) for either exterior lot line.

(c) Detached garages are limited to no more than fourteen (14) feet in height with a vertical exterior wall height not to exceed eight (8) feet in height.

(d) Garages and carports existing or constructed shall not be enclosed at a later date, unless considerations are made so that the subsequent structure is in keeping or consistent with the main building. Where appropriate, garages should be oriented to the alley with the required yard off of the alley considered a rear yard.

(5) Air Conditioning compressors serving central systems (other than window units) or other mechanical equipment designed to serve the principal structure may be located in any required rear yards, but not in any front yard, and not less than ten (10) feet from any side lot line, except in the following instances:

(a) When a compressor is proposed within a yard and is enclosed by a masonry wall at least four (4) feet high, it may be located within two (2) feet of any side lot line.

- (b) When a compressor is proposed within a yard and is enclosed by a solid board fence at least four (4) feet high, it may be located within five (5) feet of any side lot line.
- (6) No more than three (3) accessory structures per lot, excluding subsection 27-328(2)c, and swimming pools.
- (7) Detached garages shall have an access driveway as described in section 27-480 except that the use of pervious driveway material for construction material is encouraged.
- (8) Access to a detached garage shall provide a minimum access clearance of ten (10) feet between any structure and the property line.
- (9) Vehicles, major recreational equipment and manufactured homes shall not be used as accessory structures.

**Section 2.** The Ordinance shall become effective on after passage by the City Council.

**VOTE RESULTS OF FIRST READING AND PUBLIC HEARING:**

Mayor Harriet Pruette	Yes
Vice Mayor Richard Arthur	No
Councilor John Jolly	Yes
Councilor Kara Tucker	No
Councilor Scott Wiley	No

Passed on First Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**VOTE RESULTS OF SECOND AND FINAL READING AND PUBLIC HEARING:**

Mayor Harriet Pruette  
Vice Mayor Richard Arthur  
Councilor John Jolly  
Councilor Kara Tucker  
Councilor Scott Wiley

Passed on Second and Final Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Harriett Pruette, Mayor

ATTEST:

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Karla Strait, CMC, City Clerk

Approved as to form and  
correctness:

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Patrick Krechowski, City Attorney

NOT ADOPTED