

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: _____

Date: _____

Date due for placement on agenda: _____

Requested by _____

Phone Number: _____



(LEGAL DEPARTMENT USE ONLY)

Legal Review by _____

Date Received: _____

_____ Approved as to form and legal sufficiency.

_____ Not approved.

_____ Make subject to legal signoff.

Additional comments:

ORDINANCE NUMBER 2015-_____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING CHAPTER 3 PENSACOLA BEACH DISTRICT, SECTION 3-5.2(1), TO CLARIFY SETBACK INSTRUCTIONS AND THE ACCOMPANYING FOOTNOTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, amending Chapter 3, Pensacola Beach Districts, Section 3-5.2(1), to clarify setback instructions and the accompanying footnotes.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Chapter 3, Section 3-5.2(1), is hereby amended as follows (additions are underlined and deletions are ~~strikethrough~~):

Chapter 3 Pensacola Beach districts.

Sec. 3-5.2 Low density residential (LDR-PB). Areas delineated as low density residential are restricted to the development of single family detached homes at densities up to and including four units per acre.

(1) Site and building requirements.

TABLE LDR-PB

Minimum Size Lot	<u>Building Height</u>	Building Setbacks ^{1, 2}	Parking	Special Requirements
Minimum lot size is 10,000 sq. ft.	<u>See Article 5, Sec. 3-5.1</u>	Front - 30 feet ^{3, 4} Side - 15 feet* ^{4, 5} Rear - 20 feet* ^{3, 6, 7} *See list for existing subdivisions	Minimum 2 spaces off street	Subdivision plat required. Landscaping requirements per Chapter 5

Notes:

- Setbacks to be measured to outside walls with maximum of three feet of overhang allowed.

1
2 2. Front is defined as side facing main street or access. If water front
3 property, then side facing water is rear.
4

5 3. If facing County Road 399 front or rear setback shall be 50 feet, for lots
6 larger than 10,000 sq. ft.
7

8 4. If sound front lot, building front setback may be reduced to a minimum of
9 20 feet, only if erosion on Soundside has placed rear platted lot line in the Sound.
10

11 5. Corner lot (street side) setbacks shall be 25 feet. For irregular shaped lots
12 the ~~sideline~~ side setback restrictions may be based on 10 percent of the average
13 of the front and rear lines, but in no case shall be less than 10 feet unless
14 otherwise specified.
15

16 6. If Gulf front lot, rear building line shall be ~~the most restrictive of 50 feet~~
17 ~~landward of the crest of the primary dune line; or the State of Florida 1975~~
18 ~~Coastal Construction Control Line (CCCL). In Lafitte Cove, as per recorded plat.~~
19 ~~In Villa Sabine, as per recorded plat.~~
20

21 7. If sound front lot, (Villa Primera and Villa Segunda subdivisions) building
22 setbacks shall be ~~established as 30 feet upland of the mean high water line, for~~
23 ~~structures deemed in compliance with current flood elevation requirements and~~
24 ~~whose shoreline has been stabilized; this relief is for lots whose platted rear line~~
25 ~~is in the Sound.~~ All other structures shall maintain a building setback of 50 feet
26 upland of the ~~vegetation~~ mean high water line.
27

28 8. First floor level of lowest habitable floor must be in compliance with current
29 flood insurance rate map issued by the National Flood Insurance Program, ~~or this~~
30 ~~chapter, whichever is greater,~~ Chapter 4, Section 4-3.1.
31

32 9. Enclosures below established base flood level must be accomplished
33 through "break-away" wall construction, and such enclosures may not be used
34 for habitable purposes. (Habitable includes working, sleeping, eating, cooking or
35 recreation, or a combination thereof.)
36

37 **Setbacks.** Listed below are required setbacks for the existing single-family detached
38 subdivisions located on Pensacola Beach.

Name of Subdivision	Front	Side	Rear
Deluna Point	plat	plat	plat
LaCaribe	plat	plat	plat

Lafitte Cove	25 feet	10 feet	plat
Lafitte Cove Unit II	40 feet	plat	30 feet
Santa Rosa Villas	25 3 feet	7.5 feet ⁵ <u>per lease</u>	10 feet ^{4,3,4} <u>per lease</u>
Santa Rosa Villas 1st Addition	30 feet ⁴	15 feet ²	20 feet ³
Santa Rosa Villas 2nd Addition	30 feet	15 feet ²	20 feet ⁴
Santa Rosa Villas Estates	plat	plat	plat
Seashore Village	plat	plat	plat
Tristan Villas	plat	plat	plat
Villa Primera	30 feet ⁴	15 feet ²	20 feet ^{3,4}
Villa Sabine	30 feet	15 feet	Plat 4
Villa Segunda	30 feet ⁴	15 feet ²	20 feet ^{3,4}
White Sands Cottages	30 feet	5 feet	20 feet

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Section 2. Severability.

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 portions of this Ordinance.

Section 3. Inclusion in Code.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by F.S. § 125.68, and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intentions.

1 **Section 4. Effective Date.**

2
3 This Ordinance shall become effective upon filing with the Department of State.

4
5 **DONE AND ENACTED** this _____ day of _____, 2015.

6
7
8 BOARD OF COUNTY COMMISSIONERS
9 OF ESCAMBIA COUNTY, FLORIDA

10
11 By: _____
12 Steven Barry, Chairman

13
14 ATTEST: PAM CHILDERS
15 Clerk of the Circuit Court

16
17
18 By: _____
19 Deputy Clerk

20
21 (SEAL)

22
23 ENACTED:

24
25 FILED WITH THE DEPARTMENT OF STATE:

26
27 EFFECTIVE DATE:

