

# CITY OF BELLEVIEW

## PARTICIPATION/DISCUSSION TOPIC FORM

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**DATE OF MEETING:** 1/5/2021

**AGENDA ITEM:**

PH: First Reading Ord 2021-01 Height Restrictions

**PRESENTING PARTY:**

Shawna Chancey, Development Services

**BACKGROUND/EXPLANATION:**

Current code allows for two stories and a maximum of 20 feet in height for Residential zonings. This restriction was most likely due to the capabilities of fire trucks at the time it was written. Staff confirmed with the Marion County Fire Marshal, that Marion County allows for a maximum of 40 feet for single family residential and up to 50 feet for multi-family residential. Additionally, the Fire Marshal would not have an issue supporting a 40/50 height restriction in Belleview. Staff was given direction at the December 1, 2020 meeting to amend height restrictions section of the code.

Staff recommends maximum height of 40 feet/2 stories for R1 (single family), R2 (two-family), and R4 (residential mixed use) zonings and a maximum height of 50 feet/3 stories for R3 (Multiple-family residential) zoning.

**RECOMMENDED ACTIONS:**

Staff recommends approval of Ordinance 2021-01 on First Reading, Title Only, pending legal review.

**Public Comments:**

**City Commission Comments:**

**ATTACHMENTS:**

The Commission reserves the right to postpone any decision on audience, or walk-in requests until sufficient time has been allowed for review of documentation.

**ORDINANCE 2021-01**

**AN ORDINANCE AMENDING SEC. 134-245 APPENDIX A SCHEDULES OF DISTRICT REGULATIONS SCHEDULE 1. LOT, YARD AND HEIGHT REGULATION; ALLOWING FOR GREATER HEIGHT RESTRICTIONS IN R1, R2, R3 AND R4 RESIDENTIAL ZONINGS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission has determined that it is in the best interest of the Citizens of the City of Belleview to amend Sec. 134-245 of the City Code of Ordinances regarding SCHEDULE 1. LOT, YARD AND HEIGHT REGULATIONS.

**WHEREAS**, The City Commission finds it in public interest to allow for greater height restrictions in residential zonings districts R1, R1, R3 and R4; and

**NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of Belleview, Florida, that Sec. 134-245 SCHEDULE 1. LOT, YARD AND HEIGHT REGULATIONS is hereby amended to read as follows, to wit:

**APPENDIX A  
SCHEDULES OF DISTRICT REGULATIONS  
SCHEDULE 1. LOT, YARD AND HEIGHT  
REGULATIONS**

TABLE INSET:

District	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Lot Area (square feet)	Lot Width (feet)	Living Area <sup>1</sup> (feet)	Lot Cover <sup>2</sup> (percent)	Maximum Floor Area <sup>1</sup> (feet)	Floor Height (stories)
R-1	25	8	25	7,500	75	600	30	40	Accessory buildings and structures not to exceed 2 stories or 40 feet in height

R-2	25	8	25	4,000	75	600	40	40	Accessory buildings and structures not to exceed 2 stories or 40 feet in height
R-3	35	8	25	4,000	100	600	50	50	Accessory buildings and structures not to
									exceed 3 stories or 50 feet in height
R-4	25	8	25	4,000	50	600	40	40	Accessory buildings and structures not to exceed 2 stories or 40 feet in height
RMH	25	8	25	4,000	50	600	40	40	Accessory buildings and structures not to exceed 20 feet in height
R-O	25	8	25	10,000	100	600	50	50	--
B-1	10	0	0	6,000	50	--	50	50	--
B-2	10	0	0	6,000	60	--	60	50	--
B-3	10	0	0	0	0	--	70	50	--
B-4	10*	3	0	7,500	75	--	70	50	--
B-5	10*	3	0	7,500	75	--	70	50	--
M-1	40	10	10	20,000	200	--	70	50	--

M-2	40	10	10	43,560	400	--	70	50	-
GU	0	0	0	0	0	--	0	Appropriate for use but in no case less than for R-1	--
PD	See planned developments, Article IV of this chapter							Appropriate for use but in no	--

This Ordinance shall become effective immediately upon adoption.

**CERTIFICATE OF ADOPTION AND APPROVAL**

The above and foregoing ordinance was duly read and approved upon First Reading by a \_\_\_\_ to \_\_\_\_ vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on the \_\_5<sup>th</sup>\_\_ day of \_\_January\_\_, 2021. Said ordinance was duly read, passed, and adopted upon Final Reading by a \_\_\_\_ to \_\_\_\_ vote of the City Commission of the City of Belleview, Florida at a Public Hearing held on the \_\_19<sup>th</sup>\_\_ day of \_\_January\_\_, 2021.

\_\_\_\_\_  
CHRISTINE K. DOBKOWSKI  
Mayor/Commissioner

Attest:

\_\_\_\_\_  
Mariah Moody  
City Clerk

Approved As To Form And Legality:

\_\_\_\_\_  
FREDERICK E. LANDT, III  
City Attorney

**CERTIFICATE OF ADVERTISING**

**I HEREBY CERTIFY** that foregoing Ordinance was advertised for a Public Hearing in the \_\_\_\_\_ edition of the *Voice of South Marion* newspaper in accordance with Florida Statutes.

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Mariah Moody  
City Clerk