
Sec. 94-304. - Accessory structures.

a. *General provisions.*

1. Accessory structures must be constructed simultaneously with, or following the construction of the main building and shall not be occupied until after the principal structure has received a certificate of occupancy. No accessory structure shall be constructed or established on any lot prior to the time of construction or relocation of the principal structure to which it is accessory.
2. Conversion of detached garages or other accessory structures for the purpose of creating a dwelling unit shall be permitted only if the newly created dwelling unit is permitted and all code requirements are satisfied.
3. Any required off-street parking that is deleted or rendered unusable by a conversion or addition pursuant to the provisions of this section shall be replaced in a manner consistent with [ARTICLE XV](#) parking of the zoning code.
4. Donation collection bins prohibited. It shall be unlawful to deposit, store, keep or maintain or to permit to be deposited, stored, kept or maintained a donation collection bin in or on any lot, parcel or tract of land or body of water in any zoning district or on public property. A donation collection bin is hereby defined as a receptacle designed with a door, slot or other opening and which is intended to accept and store donated items; provided, however, the definition of donation collection bins shall not include recycling bins for pre-sorted recyclable materials that would otherwise go to the landfill such as beverage containers, glass, aluminum, plastics, steel, cardboard, paper and plastic bags, magazines, newspapers, and paper products.

b. *Accessory structures in residential districts.*

1. **Maximum square footage.** The total floor area of all roofed accessory buildings on a property shall not exceed 75 percent of the gross floor area of the primary structure with a maximum floor area of 1,000 square feet. For the residential neighborhoods of Echo Lakes and Westfield, all roofed accessory buildings are prohibited. This prohibition does not include gazebos and screen enclosures.
2. **Setbacks.**
Front: 25 feet.
Side: Five feet from the lot lines.
Corner: Same as required for principal structure.
Rear: Five feet minimum or 15 feet from the centerline of the alley to a garage door facing the alley, whichever is greater.
3. **Building separation.** Accessory structures covered with a solid roof shall be located no closer than six feet to the principal structure. Accessory structures less than six feet from the primary structure must meet the primary structure setbacks. Accessory structures may be connected to the principal structure with a canvas covered open breezeway.
4. **Height.** Accessory structures shall not exceed 25 feet.

c. *Utility and tool sheds in Echo Lakes and Westfield neighborhoods* Manufactured utility and tool sheds, which may be exempt from the Florida Building Code, when accessory to a single-family use, may be permitted in the most preferred available location. In order of preference the available locations are:

1. Rear yard, behind the rear of the primary structure, five feet from the side and rear property lines.
2. Side setback, five feet behind the front of the primary structure, five feet from the side property line. For corner lots, the shed must be a minimum of five feet behind the building line. If visible from the street, sheds must be screened with an opaque fence or landscape hedge that is a minimum of five feet at installation with the potential to grow to and be maintained at 10 feet within the required setbacks.

No more than one shed shall be permitted per property. Sheds shall not be habitable. A shed shall be no greater than 12 feet in length on any side and shall be no greater in height than 10 feet measured to the top of the structure and shall be no larger in area than 120 gross square feet.

d. *Screen enclosures.*

1. Screen enclosures attached to or detached from the principal building shall be considered an accessory structure if the roof and all sides of the enclosure attached to the principal building are made of screening material. In such cases the accessory building setbacks shall apply to the enclosure.
2. Roofed screened enclosures attached to the principal building shall be considered part of the principal structure and all principal building setbacks for the respective zoning district shall apply.

e. Swimming pools.

1. *Additional application requirements.*

- a. Permitted with extra requirements. In the event a property owner cannot meet any of the additional standards shown in subsection (b), any waivers shall require approval by the zoning board of appeals as a Class B special use permit.
- b. Above ground swimming pools are prohibited.

2. *Additional standards.*

1. Swimming pools, appurtenances and screen enclosures shall be located on a lot as depicted in the following table:

	REQUIRED MINIMUM SETBACKS			
	SIDE LOT LINE	FRONT LOT LINE	REAR LOT LINE	CORNER LOT LINE
Water's edge	5 feet	25 feet	5 feet	10 feet
Screen enclosure and appurtenances	5 feet	See I below	5 feet	10 feet

- I. All screen enclosures shall be located behind the street facade of the principal building.

- b. Every swimming pool shall be enclosed by a fence or similar structure which is installed to obstruct access by persons other than the owners or occupants of the residence within which a swimming pool is located. Barriers or fences shall be at least four feet in height above grade.
- c. Access to an accessory swimming pool must be through a building or through a self-closing and self-latching gate or through a screen enclosure door with latches placed at least 54 inches above bottom of gate. At least 90 percent of the surface area of all screen enclosures shall be screening material through which air shall flow. All pools located on a corner lot shall be screened at the corner lot line by at least a 42-inch high landscape buffer, as measured from grade, at the property line, to ensure privacy.
- d. If a patio or paved area is provided adjacent to or surrounding a pool, it shall be designed to drain away from the pool, but not onto adjacent properties.
- e. For a double frontage lot, a swimming pool may be located along that street frontage that is the predominant location of swimming pools along that same street. The minimum setback for the water's edge, screen enclosures and appurtenances from the property line shall be five feet. A landscape buffer along the pool's street frontage is required that is consistent with subsection c. above.

(Ord. No. 3744-04, § 4, 9-27-2004; Ord. No. 4450-13, § 4, 4-1-2013; Ord. No. 4492-13, § 3, 1-21-2014; Ord. No. 4515-14, § 1, 7-21-2014; Ord. No. [4829-19](#), § 3, 01-27-2020)