

ORDINANCE NO. 2016-02

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING SECTION 134-483 OF THE CITY OF EDGEWOOD CLARIFYING THAT ACCESSORY FIXTURES SUCH AS GENERATORS, AIR CONDITIONING / HEATING AND VENTILATION COMPONENTS AND SWIMMING POOL PUMPS AND HEATERS ARE SUBJECT TO THE SETBACK AND LOCATIONAL REGULATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Edgewood Code of Ordinances restricts the placement of structures and other uses within required yards; and

WHEREAS, the primary function of the required yards is to ensure appropriate spacing of structures and other uses; and

WHEREAS, in order to avoid any possible confusion, the City Council of the City of Edgewood finds and determines it necessary to expressly provide that accessory fixtures that are appurtenant to any building are considered a part of such building and are subject to the locational requirements of the Code of Ordinances; and

WHEREAS, the Planning and Zoning Board of the City of Edgewood, sitting as the Local Planning Agency, has reviewed the proposed amendment, found it consistent with the City's Comprehensive Plan, and recommended approval by the City Council.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Edgewood, Florida as follows:

NOTE: Underlined words constitute additions to the City of Edgewood Code of Ordinances, ~~striketrough~~ constitutes deletions from the original Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

Section 1. Legislative Findings and Intent. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this ordinance.

Section 2. Section 134-483 of the City of Edgewood Code of Ordinances shall be amended as follows:

Sec. 134-483. - Location of accessory buildings and uses in residential areas.

(a) When an accessory building is attached to a principal structure by a breezeway, passage or otherwise, it shall become a part of the principal building and shall be subject to the required setbacks of the principal building.

(b) A detached accessory building, including garage apartments, shall not be located closer than five feet to a lot line, nor closer than six feet to any other accessory building on the same lot.

(c) No detached accessory building shall be located in front of the principal building.

(d) No accessory building may be constructed prior to construction of the principal building.

(e) Unless specifically provided otherwise elsewhere in this Code, accessory fixtures, including but not limited to generators, air-conditioning/heating and ventilation components, and swimming pool pumps/heaters, appurtenant to any building are considered a part of such building and shall conform to all requirements of this section.

Section 3. 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 Edgewood.

Section 4. Severability. If any section, sentence, phrase, word or portion of this ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

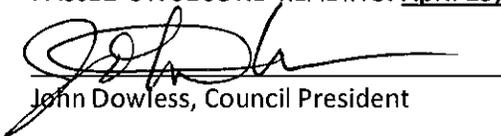
Section 5. Conflicts. All ordinances that are in conflict with this Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 19th day of April, **2016**, by the City Council of the City of Edgewood, Florida.

PASSED ON FIRST READING: March 22, 2016

PASSED ON SECOND READING: April 19, 2016


John Dowless, Council President

ATTEST:

Bea L. Meeks, MMC, CPM
City Clerk