Roosevelt Gardens
Neighborhood Enhancement Plan

Broward County Board of County Commissioners
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Planning and Redevelopment Division
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Ordinance 2003-05, 01/28/03 - DISTRICT
Ordinance 2004-06, 03/09/04 - NEP
Ordinance 2005-05, 02/22/05 - AMENDED
Ordinance 2006-02, 01/10/06 - AMENDED
Ordinance 2009-24, 04/28/09 - AMENDED
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Broward County, Florida

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The above listing is revised by the Broward County Planning and Redevelopment Division.
Roosevelt Gardens Neighborhood Preservation and Enhancement District

Neighborhood Council

Chandra Evans
President

Freddie Griffin
Vice President

Alexia Bell
Secretary

Shelia O’Neal Brown
Member

Eligha Lewis, III
Member

The Neighborhood Council was elected
by District residents on February 16, 2009.
The election was approved by the Broward County Board of County Commissioners on April 14, 2009.
The above listing is revised by the Broward County Planning and Redevelopment Division.
# TABLE OF CONTENTS

I. PREAMBLE ........................................................................................................................................... 1
II. BOUNDARIES AND SIZE OF DISTRICT ......................................................................................... 1
III. TOTAL POPULATION AND NUMBER OF HOUSEHOLDS ............................................................... 2
IV. LAND USE, ZONING AND HOUSING IN THE DISTRICT ............................................................... 3
V. GOAL AND OBJECTIVES .................................................................................................................. 8
VI. STRATEGIES AND POLICIES TO ENHANCE THE DISTRICT ..................................................... 8
VII. MINIMUM STANDARDS FOR PROPERTY MAINTENANCE, BUILDING CODES AND COMMUNITY AESTHETICS ................................................................................................. 10
VIII. STRATEGIES TO IMPLEMENT AND EVALUATE THE PLAN .................................................. 11
IX. BUILDING DESIGN STANDARDS FOR CONSTRUCTION OF NEW SINGLE FAMILY HOUSES AND DUPLEX DWELLING UNITS ............................................................... 15
X. COMPLIANCE WITH THE ROOSEVELT GARDENS NEIGHBORHOOD ENHANCEMENT PLAN ................................................................. 18
XI. PROHIBITED ACTIVITIES ............................................................................................................... 18
Roosevelt Gardens Neighborhood Enhancement Plan

I. PREAMBLE

Pursuant to and in accordance with the provisions of Section 163.524, Florida Statutes, the Board of County Commissioners designated the Roosevelt Gardens area as a Neighborhood Preservation and Enhancement District on January 28, 2003. The Roosevelt Gardens Homeowners Association organized the election process and the Roosevelt Gardens Neighborhood Council (Neighborhood Council) was elected by majority vote of the Roosevelt Gardens residents participating in the noticed election held on February 17, 2003, consistent with Section 163.524(4) Florida Statutes.

The Neighborhood Council prepared the Roosevelt Gardens Neighborhood Enhancement Plan (Neighborhood Enhancement Plan) with input from the community. The Neighborhood Enhancement Plan identifies a goal, objectives and policies to ensure that all people understand the Council's vision for the Roosevelt Gardens neighborhood now and into the future. Additionally, the Neighborhood Council identified standards it wishes to have enforced within the Enhancement District. These statements, when combined, will be especially helpful in making sure that any annexing municipality understands the values of the neighborhood residents and will endeavor to live up to the residents' expectations upon annexation.

In accordance with Section 163.524(10) Florida Statutes, the Neighborhood Council and the Broward County Office of Urban Planning and Redevelopment held a joint advertised public hearing on the Neighborhood Enhancement Plan on October 20, 2003. The goal and all of the objectives, policies and standards were discussed by the Neighborhood Council with the residents attending the hearing.

II. BOUNDARIES AND SIZE OF THE DISTRICT

The Roosevelt Gardens Neighborhood Preservation and Enhancement District is located in the east central portion of the County. It is bordered to the north by NW 13 Street, NW 29 Avenue and NW 15 Court, on the east by NW 24 Avenue, on the south by Sunrise Boulevard and on the west by NW 31 Avenue/Martin Luther King, Jr. Blvd. The City of Fort Lauderdale abuts the northern and eastern boundary of the neighborhood, the neighborhoods of Washington Park and Franklin Park lie to the south and the City of Lauderhill to the west (see Exhibit 1).

The Roosevelt Gardens Neighborhood Preservation and Enhancement District consist of 213.7 acres (0.33 square miles) according to the County's geographic information system data base.
III. TOTAL POPULATION AND NUMBER OF HOUSEHOLDS IN THE DISTRICT

In 2000, the population of the Roosevelt Gardens Neighborhood Preservation and Enhancement District is 1,923 based on data from the U.S. Bureau of the Census for the Roosevelt Gardens Census Designated Place. Black non-Hispanics represent 97.6 percent of the total population, white non-Hispanics equal 1.0 percent, Hispanics of any race account for 0.3 percent and multi-racial persons comprise the remainder of the population. 34.3 percent of the residents are less than 19 years old compared to 25.7 percent countywide. Households with children under 18 years of age comprise 41.5 percent of the population with an above average household size of 2.9 persons compared to Broward County's 2.45. There is a small senior citizen population with 9.8 percent of the residents aged 65 years and older as compared to 16.1 percent in this age group countywide.

Based on data from the 2000 Census, there are 733 total housing units with 661 occupied housing units (90.2 percent). 9.8 percent of the housing units (72) are vacant. Of the occupied housing units in Roosevelt Gardens, 39.6 percent or 262 units are owner-occupied in the District and 60.4 percent or 399 are renter-occupied.

Family households comprise 64.6 percent, (427 households) of the total amount of occupied housing units. 23.4 percent of all households are married couple families while female headed households represent 34.5 percent (228) of the households in Roosevelt Gardens. Among the 203 families with children under eighteen, 26.2 percent were female householders with no husband present.

Roosevelt Gardens continues to be a stable, cohesive neighborhood. 53.2 percent of the neighborhood lived in the same house since 1995. Another 43.4 percent lived in Broward County in 1995. Only 3.4 percent of the population lived outside Broward County in 1995. By contrast, 47.1 percent of the county lived in the same home in 1995 and only 27.2 percent lived in the County in 1995. 25.7 percent of Broward County residents lived somewhere outside the county in 1995.

The majority of Roosevelt Garden residents were born in the United States. 1,799 persons (96.5 percent) of the population are born in the United States, 73.6 percent in the State of Florida and only 3.5 percent were foreign born. In contrast, only 74.7 percent of Broward County residents were born in the United States and 27.9 percent born in Florida. 25.3 percent of County residents were born outside the United States.

According to the 2000 Census, median household income in Roosevelt Gardens is $17,423.
Median family income is $20,536, while per capita income is $9,559. These figures are lower than Broward County's 2000 income figures. Of the population 25 years of age and older in Roosevelt Gardens, 40.2 percent have a high school diploma or equivalent (GED) while 2.7 percent hold a college degree. 44.5 percent of the population does not have a high school diploma. In contrast, 28.4 percent of Broward County has a high school diploma or equivalent. 15.8 percent hold a college degree while 18 percent do not have a high school diploma. 31.4 percent of Roosevelt Garden's families live under the poverty level. Of those families 45.6 percent have children under the age of 18. 33.2 percent of all individuals in the district live in poverty. 8.7 percent of Broward County's families live in poverty. Of that percentage 12.6 percent of families have children under 18. 11.5 percent of all Broward County citizens live in poverty.

IV. LAND USE, ZONING AND HOUSING IN THE DISTRICT

Land Use

Future land use in the Roosevelt Gardens neighborhood is comprised of four categories. These four categories follow a traditional pattern, with major corridors designated as commercial and residential categories found in the interior of the neighborhood. These land use designations were first established in 1977 on the Broward County Land Use Plan and in 1979 on the Future Unincorporated Area Land Use Plan.

Properties located along Sunrise Boulevard and Martin Luther King Jr. Ave. (NW 31 Avenue) are designated commercial. A small portion of Dillard High School on the northeast corner of NW 27 Avenue and NW 11 Street is designated Community facilities.

The remainder of the neighborhood is designated residential. The majority of the neighborhood, over 68%, is designated Low-Medium (10) Residential. This land use category is located west of NW 27 Avenue. The Low (5) Residential category comprises the remainder of the residential portion of the neighborhood. This category can be found east of NW 27 Avenue in the northeast portion of the neighborhood.

Zoning

The original zoning for the neighborhood was enacted in the 1950s as part of a comprehensive zoning for the entire unincorporated area. At that time, the predominant zoning district for the area was R-2 Two-Family Dwelling (Duplex.) The area also contained single family (R-1C One-Family Dwelling (6,000 square foot minimum plot) zoning in the northeast and southern areas of the neighborhood. The zoning along the perimeter of the
Roosevelt Gardens Neighborhood Enhancement Plan

district was commercial. The zoning along a portion of NW 27 Avenue was commercial (B-1 Neighborhood Business.) Rezonings in the area occurred in 1982 when the B-1 zoning along NW 27 Avenue was rezoned to R-2 Two-Family Dwelling (Duplex). Subsequently, the NW 27 Avenue corridor and the other R-2 zoning was rezoned to RD-10 Duplex Dwelling (10 units per acre) by the County Commission on October 27, 1998. This rezoning affected regulations such as permitted uses, height and setbacks (Exhibit 3.)

Housing

Based on data from the 2000 Census, housing in Roosevelt Gardens is quite different than generally is found in the County. Of the occupied housing units in Roosevelt Gardens, 39.6 percent or 262 units are owner-occupied (with a median value of $65,500) and 60.4 percent or 399 are renter-occupied (with a median rent of $561.) For Broward County as a whole, the tenure data reflects a significant difference with 69.5% of the homes owner-occupied (with a median value of $128,600) and 30.5% rented (with a median rent of $757.) In Roosevelt Gardens, exactly one-half of the housing is within single-family detached units and the majority of the remaining units in buildings containing no more than four units. In contrast, Broward County's housing stock had only 41% of the units as single-family units with the majority of the remaining units in buildings containing ten or more units. Homes in Roosevelt Gardens generally are older than the County average with most of the Neighborhood's homes constructed prior to 1970 while only 30% of the homes throughout Broward are that old. However there is one statistic in which the two areas are similar; Roosevelt Gardens' homes are 90.2% occupied, which is slightly higher than the County's 88.3%.
Exhibit 1

Roosevelt Gardens Neighborhood Enhancement District: Boundary

This map is for conceptual purposes only and should not be used for legal/boundary determinations.

Prepared by:
GZI Design
Planning & Redevelopment Division
Environmental Protection and Growth Management Department
#1615 Mobs Update 10/06/08

Adopted 03/09/04

Page 5 of 20

Ordinance No. 2004-06
Roosevelt Gardens Neighborhood Enhancement Plan

Exhibit 2
Exhibit 3

Roosevelt Gardens Neighborhood Enhancement District: Zoning
V. GOAL AND OBJECTIVES

Goal: Promote the development of Roosevelt Gardens as an attractive, single-family, owner-occupied neighborhood with a unique sense of place that reflects the values and character of the residents.

Objective 1: Construct and/or promote the construction of single family homes in accordance with approved neighborhood design standards.

Objective 2: Develop recreational opportunities within the neighborhood to support family activities and encourage neighborhood unity.

Objective 3: Enhance the livability and walkability of the neighborhood for residents.

Objective 4: Instill neighborhood pride in and promote recognition of the Roosevelt Gardens neighborhood as a great place to live.

Objective 5: Encourage mixed-uses along the commercial corridors of Sunrise Boulevard and NW 31 Avenue in accordance with an approved redevelopment strategy.

VI. STRATEGIES AND POLICIES TO ENHANCE THE DISTRICT

Policy 1: The Dillard Park Greenspace #212 (4.47 acres) located at the intersection of Sunrise Boulevard and NW 27 Avenue shall be utilized for passive open space or other appropriate use as permitted through the Park Bond Program.

Policy 2: The park property (approximately 2 ½ acres) located between NW 11 Street and NW 11 Court shall be developed for recreational purposes consistent with community input.

Policy 3: Continue to implement the Office of Environmental Services' North Central County Neighborhood Improvement Program which includes storm water drainage, roadway, sidewalks, landscaping and related work.

Policy 4: Coordinate with the Urban League of Broward County and other non-profit organizations regarding programming for youth services and the community.
Policy 5: Review and analyze the residential Land Use Plan designations and residential zoning districts in the neighborhood including a review of the zoning code and propose text amendments and/or rezonings to facilitate attractive residential development.

Policy 6: Ensure consistency of any proposed zoning district changes with the Unincorporated Area Future Land Use Plan Map Series.

Policy 7: Develop preferred architectural building design standards for single-family dwellings to promote a “sense of place” for the neighborhood.

Policy 8: Investigate the feasibility of developing a strategy for redevelopment of the Sunrise Boulevard Corridor from NW 27 Avenue to NW 31 Avenue.

Policy 9: Investigate the feasibility of developing an urban design theme for NW 27 Avenue from Sunrise Boulevard to NW 16 Street consistent with the County's Urban Design Guidebook.

Policy 10: Update and maintain the inventory of escheated properties and establish, fund and staff a program for clearing title to properties in an expeditious manner.

Policy 11: Establish a quick response and direct funding program for County acquisition of “lands available for taxes” upon notification of their availability by the Revenue Collection Division.

Policy 12: Work with appropriate Broward County agencies to ensure housing styles are compatible with the neighborhood's design guidelines.

Policy 13: Work with the School Board of Broward County to facilitate the multi-use of Dillard High School and other schools in the vicinity as a community facility.

Policy 14: The Roosevelt Gardens Neighborhood Council shall maintain records in accordance with Public Records Law, Chapter 119, Florida Statutes.

Policy 15: The Roosevelt Gardens Neighborhood Council shall conduct the business of the Roosevelt Gardens Neighborhood Preservation and Enhancement District in accordance with the Sunshine Law, Section 286.011, Florida
Roosevelt Gardens Neighborhood Enhancement Plan

Statutes.


Policy 17: The Roosevelt Gardens Neighborhood Council will utilize code enforcement programs as an incentive for property owners and other parties to participate in revitalization projects and enhance the quality of life of the residents. The Broward County Community Code Compliance Division will serve as a consolidated referral resource and the local governmental agency responsible for the enforcement of minimum standards for property maintenance and community aesthetics. To ensure the enforcement of standards within the Enhancement District, the Neighborhood Council will serve as the referring body for obtaining services provided by the Broward County Community Code Compliance Division.

Policy 18: The residents of Roosevelt Gardens encourage a sense of community by providing for adult living facilities which allow for the residents of Roosevelt Gardens to age in place. Adult living facilities must meet all the architectural requirements for residential development within the neighborhood while providing for more multiple residents.


VII. MINIMUM STANDARDS FOR PROPERTY MAINTENANCE, BUILDING CODES AND COMMUNITY AESTHETICS

Standard 1. All appropriate provisions of County Codes and Ordinances related to property maintenance, building codes and community aesthetics shall be incorporated into this Plan by reference.
Roosevelt Gardens Neighborhood Enhancement Plan

**Standard 2.** Commercial uses, including home stores, shall be prohibited on residentially zoned property. Home offices shall be permitted. A home office is an office designed for and operated as a business location in a dwelling unit, and carried on by persons residing in the dwelling unit involving only written correspondence, phones, computers, or other common office equipment, and which is clearly incidental and secondary to the use of the dwelling for residential purposes. Home offices shall preclude any business operation which requires or permits customers or patrons to visit the dwelling.

**Standard 3.** Semi tractor trailers and or combinations shall be prohibited from parking in residentially zoned areas.

**Standard 4.** The number of household pets is limited to three (3). A household pet is an animal kept for pleasure, rather than for utility, by a family, within the family's dwelling unit or on the same plot as the family's dwelling unit. Offspring under the normal weaning age for the species shall not be included in maximum number of household pets.

**VIII. STRATEGIES TO IMPLEMENT AND EVALUATE THE PLAN**

1. The Neighborhood Council shall utilize the powers delineated in Section 163.526, Florida Statutes and conveyed to the Neighborhood Council by the Board of County Commissioners at the time of adoption of the Neighborhood Enhancement Plan for Roosevelt Gardens.

2. The neighborhood standards may be amended from time to time by ordinance of the local government with jurisdiction over the area. [Section 163.524(11), Florida Statutes]

3. There shall be no activity within the Enhancement District which is in violation of any applicable federal, state or local government law, rule or regulation.

4. Permits issued for construction, renovations, additions or modifications of an existing single family home within the Enhancement District.
   
   (a) Permits issued for construction, renovations, additions or modification to an existing single family home or home site, shall comply with all of the standards in
Section IX, Policy 1, except for Standard 3. relating to minimum floor area and Standard 11. relating to barrel tile and s-tile roof construction. The construction, renovation addition or modification of a flat patio roof is permitted on the rear portion of an existing single family home in accordance with all applicable building regulations. No flat patio roofs shall be allowed along the front of a single family home which is adjacent to or abuts the street. The area under a patio roof, with the exception of screens, may not be enclosed in any manner without complying with all applicable building code requirements. Repair to an existing single family home or home site which does not require the issuance of a building permit shall not be required to conform to the Standards set forth with Section IX except as provided above.

(b) The Neighborhood Council may establish additional criteria for such additions or modifications. Such additional criteria shall be forwarded to the County for consideration for inclusion in the Plan. Amendment of the criteria shall not affect renovations, modifications or improvements for which building permits have been applied.

5. Requirement of Owners when Leasing or Renting Property.

Within fifteen (15) days of entering into an agreement to rent or lease property within the Enhancement District, property owners shall be required to notify the Neighborhood Council in writing. The notice shall include the name and phone number of the lessee. All leases entered into after the effective date of the Neighborhood Enhancement Plan must contain clauses that bind lessee(s) to abide by the bylaws and rules of Roosevelt Gardens Neighborhood Enhancement Plan. The owner shall provide the lessee(s) with a copy of the bylaws and rules of the Neighborhood Enhancement Plan within seven (7) days of the signing of the lease.


(a) If a person believes that a violation of the rules or bylaws of the Neighborhood Enhancement Plan has taken place, complaints concerning the alleged violation must be made in writing to the Neighborhood Council. If the Neighborhood Council determines that the complaint is a violation of the Neighborhood Enhancement Plan and neighborhood standards, it shall notify the complainant in writing as to the action that shall be taken to address the complaint.

(b) When a violation is reported in writing to the Neighborhood Council, the alleged violation shall receive a written warning from the Neighborhood Council setting forth
the nature of the violation and required action to correct the violation.

(c) If the violation continues seven (7) days after the first warning has been issued, including weekends and holidays, or recurs within seven (7) days of the warning, including weekends and holidays, a second warning shall be issued.

(d) If within five (5) days of the second warning, including weekends and holidays, the violation does not cease, the Neighborhood Council shall notify the designated code enforcement officer of the violation.

(e) During the warning period, an alleged violator may request a hearing before the next scheduled meeting of the Neighborhood Council. If the Neighborhood Council determines that no violation exists, it shall take no further action. If the Neighborhood Council determines that a violation does exist, it shall contact the designated code enforcement officer.

(f) In addition to the penalties provided in Section 8½ -16 of the Broward County Code of Ordinances, a violation of the Neighborhood Enhancement Plan may be prosecuted in the same manner as a violation of County ordinances through the County's code enforcement boards or hearing officers. The code enforcement boards and hearing officers may assess penalties of up to $250 per day for a first violation and up to $500 per day for repeat violations, for each day the violation remains beyond the date the board or hearing officer sets for compliance. [Chapter 162, Florida Statutes]

(g) Penalties imposed, as well as costs, shall be incurred by the offending property owner, even if the violation was performed by the owner's lessee(s).

7. Exception.
Any single family house existing at the time of the adoption of this ordinance which is damaged by fire, flood, explosion, collapse, wind, war or other catastrophe to such an extent that the cost of rebuilding, repair and reconstruction will exceed fifty-one percent (51%) of the replacement cost of the same single family house, shall not be reconstructed except in conformity with Standards 1, 2, 4, 5, 6 and 7 as set forth in Section IX, Policy 1 of this Plan.

8. Variances.
(a) Any property owner within the Roosevelt Gardens Neighborhood Enhancement District who wishes to apply for a variance from the building design standards for the Roosevelt Gardens Neighborhood Enhancement District shall make application to the
Permitting, Licensing & Consumer Protection Division on forms provided by the Division.

(b) The Permitting, Licensing and Consumer Protection Division shall forward a copy of the variance application to the Chair of the Roosevelt Gardens Neighborhood Council for review and recommendation by the Council.

(c) The application and recommendation of the Council shall be presented to the hearing officer in accordance with the provisions of Chapter 39, Article V. of the Broward County Code of Ordinances.

(d) In order to be considered for approval for a variance, the applicant must meet the criteria set forth within Sec. 39-40 of the Broward County Code of Ordinances.

(e) Except as otherwise set forth above, the provisions of Chapter 39, Article V. shall apply to all requests for variances from the building design standards for the Roosevelt Gardens Neighborhood Enhancement District.

9. Adult Living Facilities

(a) Adult Living Facilities in Roosevelt Gardens is any housing facility that is:

   (1) Licensed by the State of Florida which provides a life-care environment for at least seven (7) and not to exceed fourteen (14) unrelated, qualifying adult individuals, as defined in Sec. (d) herein below (see Sec. 419.001(1)(a) Florida Statutes). A life-care environment shall include, but not be limited to, creation of a life estate in the facility itself and provision for off-site or on-site medical care.

   (2) Established by a sponsoring agency which is a profit or not-for-profit agency, individual, or agency or unit of government, for unrelated, qualifying adult individuals, which housing facility provides a life-care environment.

(b) Adult Living Facilities are permitted within Roosevelt Gardens through the enabling language, Special Residential Facilities, Category (3), in the Broward County Land Use Plan. Special Residential Facilities are permitted in the following land use categories: Residential, Commercial, Office Park, Agricultural and Community Facilities.

(c) No new Adult Living Facility shall be located within a radius of two thousand (2,000) feet of another existing adult living facility.

(d) A qualifying adult living at an Adult Living Facility shall be defined as a
functionally impaired elderly person who is 60 years of age or older and who has physical or mental limitations that restrict the person’s ability to perform the normal activities of daily living and that impede the person’s capacity to live independently (see: "Frail Elder"; Sec. 426.65(9), Florida Statutes).

IX. BUILDING DESIGN STANDARDS FOR CONSTRUCTION OF NEW SINGLE FAMILY HOUSES, DUPLEX DWELLING UNITS AND ADULT LIVING FACILITIES.

Policy 1. The Roosevelt Gardens Neighborhood Council wishes to set building design standards for construction of new single family homes.

Standard 1. All new single family houses shall be required to have garages designed as an integral part of the structure. Carports, canopies and nonstructural or detached garages shall not be permitted.

Standard 2. All driveways and walkways, including that portion in the public right of way, shall be concrete or brick pavers. Asphalt shall not be permitted in these areas.

Standard 3. New single family homes shall have a minimum floor area of at least fourteen hundred (1400) square feet of living space.

Standard 4. Flat roofs over garages, porches, patios and living spaces shall be prohibited.

Standard 5. Irrigation for landscaping shall be required for front, side and rear yards.

Standard 6. Hedges shall not be erected, planted or maintained at a height greater than forty-eight (48) inches in the front yard.

Standard 7. Fences or walls shall not be permitted in the front yard, nor will a front yard fence permit be issued for replacement of existing fence.

Standard 8. A single family house plot shall have a minimum front yard set back of twenty five (25) feet.

Standard 9. A single family house plot shall have a minimum rear yard set back of fifteen (15) feet.
### Roosevelt Gardens Neighborhood Enhancement Plan

| Standard 10. | Every plot used for a single family house shall have a side yard on each side of seven and one-half (7.5) feet except for plots which are less than sixty (60) feet in width which shall have each side yard at least five (5) feet in width. On corner plots there shall be a side yard of at least ten (10) feet in width on the side of the plot abutting on the street side. |
| Standard 11. | All new single family houses shall be required to have barrel tile or s-tile roof construction. |

**Policy 2.** The Roosevelt Gardens Neighborhood Council wishes to set building design standards for construction of new duplex dwelling units.

| Standard 1. | Each new duplex dwelling unit shall have a minimum floor area of at least twelve hundred (1200) square feet of living space. |
| Standard 2. | Duplex dwelling unit front entrances must be oriented to face the required front yard. |
| Standard 3. | Each duplex dwelling unit must have a separate driveway. |
| Standard 4. | Each duplex dwelling unit driveway and walkway, including that portion in the public right of way, shall be concrete or brick pavers. Asphalt shall not be permitted in these areas. |
| Standard 5. | A duplex dwelling unit plot shall maintain a required front yard set back of twenty-five (25) feet. |
| Standard 6. | A duplex dwelling unit plot shall maintain a required side yard set back of ten (10) feet and a street side yard set back of fifteen (15) feet. |
| Standard 7. | A duplex dwelling unit plot shall maintain a required rear yard set back of fifteen (15) feet. |
| Standard 8. | Hedges shall not be erected, planted or maintained at a height greater than forty-eight (48) inches in the front yard. |
| Standard 9. | Fences or walls shall not be permitted in the front yard, nor will a front yard fence permit be issued for replacement of existing fence. |
| Standard 10. | All new duplex dwelling units shall be required to have barrel tile or s-tile roof construction. |
roof construction.

**Policy 3.** The Roosevelt Gardens Neighborhood Council wishes to set building design standards for the construction of Adult Living Facilities (ALF).

**Standard 1.** Each ALF shall be required to have garages designed as a integral part of the structure. Carports, canopies, and nonstructural or detached garages shall not be permitted.

**Standard 2.** All driveways and walkways, including that portion of the public right of way, shall be concrete or brick pavers. The use of asphalt shall not be permitted in these areas.

**Standard 3.** New ALF shall have a minimum air-conditioned floor area of at least fourteen hundred (1,400) square feet of living space.

**Standard 4.** Flat roofs over garages, porches, patios and living spaces shall be prohibited.

**Standard 5.** Irrigation for landscaping shall be required for front, side and rear yards.

**Standard 6.** Hedges shall not be erected, planted or maintained at a height greater than forty-eight (48) inches in the front yard.

**Standard 7.** Fences and walls shall not be permitted in the front yard, nor will a front yard fence permit be issued for existing fence.

**Standard 8.** An ALF shall have a minimum front yard set-back of twenty-five (25) feet from the front property line.

**Standard 9.** An ALF shall have a minimum rear yard set-back of fifteen (15) feet from the rear property line.

**Standard 10.** An ALF shall have a minimum side yard set-back of seven and one-half (7.5) feet from each side yard property line. If a plot has less than sixty (60) feet in width the side yard set back is a minimum of five (5) feet from each side yard property line. If a plot is located at the corner of two intersecting streets a ten (10) foot side set back is required from the side property line that faces the street.
Standard 11. All new ALF shall be required to have barrel tile or s-tile roof construction.

Standard 12. No ALF shall be located within two thousand (2,000) feet of an existing ALF.

X. COMPLIANCE WITH THE ROOSEVELT GARDENS NEIGHBORHOOD ENHANCEMENT PLAN

Broward County shall be responsible for ensuring compliance with the Roosevelt Gardens Neighborhood Enhancement Plan including issuance of building permits consistent with Section IX of this Plan.

XI. PROHIBITED ACTIVITIES

1. Limiting the time for sale of alcoholic and intoxicating beverages.

Alcoholic or intoxicating beverages may be sold, consumed, served or permitted to be served or consumed in any establishment licensed by the State of Florida under the provisions of the Beverage Law within the boundaries of the Roosevelt Gardens Neighborhood Preservation and Enhancement District between the hours of 10:00am and 10:00pm on weekdays and Saturdays. On Sundays alcoholic or intoxicating beverages may be sold, consumed, served or permitted to be served or consumed between the hours of 1:00pm and 10:00pm. "Alcoholic beverages" means distilled spirits and all beverages containing one-half of 1 percent or more alcohol by volume. "Intoxicating beverages" means only those alcoholic beverages containing more than 4.007 percent of alcohol by volume.

   (a) No person shall make or continue any noise which causes a noise disturbance to adjacent or surrounding private residential property at any time of the day or night. Noise is any sound which annoys or disturbs humans or causes or tends to cause an adverse psychological or physiological effect on humans. Noise disturbance is any sound that endangers the safety or health of any person, disturbs a reasonable person of normal sensitivities, or endangers personal or real property. Noise disturbances shall constitute a nuisance.
Roosevelt Gardens Neighborhood Enhancement Plan

(b) In addition, the following activities are prohibited during the time periods indicated below:

1. Loudspeakers: Using or operating any loudspeaker, loudspeaker system, or similar device between the hours of 7:00 p.m. and 7:00 a.m.
2. Loading and unloading: Loading and unloading, opening, closing or other handling of boxes, crates, containers, building materials, refuse cans, or other objects between the hours of 9:00 p.m. and 7:00 a.m.
3. Construction and demolition: Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between the hours of 7:00 p.m. and 7:00 a.m. weekdays and 7:00 p.m. to 8:00 a.m. on Saturday except for emergency utility repairs. Operating or causing the operation of any tools or equipment used in construction, drilling, repair, installation or demolition work shall be prohibited on Sundays except for emergency utility repairs.
4. Powered model vehicles: Operating or permitting the operation of powered model vehicles between the hours of 7:00 p.m. and 7:00 a.m.
5. Domestic power tools: Operating or permitting the operation of any mechanically powered saw, sander, drill, grinder, lawn, or garden tool, or similar tool between 8:00 p.m. and 7:00 a.m.
6. Vehicle motorboat, or aircraft repairs and testing: Repairing, rebuilding, modifying or testing any motor vehicle, motorboat or aircraft between the hours of 10:00 p.m. and 7:00 a.m.
7. Explosives, firearms and similar devices: Using or firing explosives, firearms or similar devices at any time of the day or night.
8. Air-conditioning and air-handling equipment: Operating or permitting the operation of any air-conditioning or air-handling equipment which causes a noise disturbance at any time of the day or night.
9. Engines, generators, pumps, motors, and other machinery: Operating or permitting the operation of any engines, generators, pumps, motors or other machinery which causes a noise disturbance at any time of the day or night.

(c) The following are not considered to be a noise disturbance:

2. The unamplified human voice.
3. Any noise generated by the movement of aircraft or railroads in accordance with or pursuant to applicable federal laws or regulations.
4. Routine maintenance of public service utilities.
5. Noise generated for the purpose of alerting persons to the existence of an emergency or noise generated in the performance of emergency work.
6. Any noise generated by any noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way pursuant to lawful authority.
(7) Any noise generated by the operation of engines, generators, pumps, construction tools, or other equipment for emergency use.

3. Violations of Section XI-1 and 2 shall be considered violations of a County ordinance pursuant to 125.69, Florida Statutes, and shall be prosecuted in the same manner as misdemeanors are prosecuted. Such violations shall be prosecuted in the name of the state in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof, and upon conviction shall be punished by a fine not to exceed five hundred dollars ($500.00) or by imprisonment in the county jail not to exceed sixty (60) days or by both such fine and imprisonment.