

Ed Vitters

Z O N I N G R E G U L A T I O N S

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Corrected to
June 10/60
Ed Vitters

ZONING REGULATIONS
PRESCRIBING
THE REQUIREMENTS AND LIMITATIONS APPLICABLE
THROUGHOUT THE SEVERAL ZONING DISTRICTS OF BROWARD COUNTY

NOTE:

These regulations apply to all areas which have been zoned under the comprehensive county zoning authorized by the Enabling Act printed on Pages 152-161.

Prior to the initiation of the comprehensive zoning program, certain areas were zoned under previous enabling acts. The regulations printed herein do not apply to any of these areas.

CAUTION:

Zoning regulations, and the district zoning of property are subject to change. Where the zoning district classifications and related regulations are of particular significance in a specific situation, up-to-date information on these matters may be obtained from the County Building and Zoning Department or the County Planning Department.

COMPILED BY

Planning Division

COUNTY BUILDING and ZONING DEPARTMENT

TABLE OF CONTENTS

<u>Article</u>		<u>Page</u>
I	Intent, Purpose and Methods.....	3
II	Definitions.....	5
III	General Provisions.....	18
IV	Base Building Lines.....	29
V	Yard Space Districts.....	31
VI	Minimum Floor Area Districts.....	34
VII	Minimum Plot Size Districts.....	37
VIII	Non-Conforming Uses and Structures.....	40
IX	Offstreet Parking and Loading.....	45
X	Zoning Districts.....	53
XI	Agricultural A-1 District.....	56
XII	One Family Dwelling - R-1A to R-1T Districts.....	62
XIII	Two Family Dwelling - R-2 Districts.....	70
XIV	Low Density Multiple R-3 District.....	72
XV	Apartment R-4 District.....	76
XVI	Planned Apartment R-4A District.....	79
XVII	Motel R-5 District.....	80
XVIII	Hotel R-6 District.....	83
XIX	Trailer Park T-1 District.....	85
XX	Recreational S-1 District.....	89
XXI	Neighborhood Business B-1 District.....	93
XXII	Community Business B-2 District.....	96
XXIII	Planned Business Center B-2A Districts.....	100
XXIV	General Business B-3 Districts.....	102
XXV	Commercial C-1 Districts.....	104
XXVI	Light Industrial M-1 Districts.....	107
XXVII	Medium Industrial M-2 Districts.....	110
XXVIII	General Industrial M-3 Districts.....	113
XXIX	Special District Regulations.....	116
XXX	Service Stations.....	119
XXXI	Alcoholic Beverage Establishments.....	121
XXXII	Sign Regulations.....	123
XXXIII	Excavation Regulations.....	132
XXXIV	Administration.....	138
XXXV	Zoning Board.....	142
XXXVI	Board of Adjustment.....	143
XXXVII	Amendments.....	146
XXXVIII	Legal Provisions.....	150
	Broward County Zoning and Building Regulation Enabling Act.....	152

ZONING RESOLUTION

BROWARD COUNTY, FLORIDA

A resolution to regulate and restrict the erection, reconstruction, alteration, location and use of buildings, structures, land and water, for industry, trade, residence, agriculture or other purposes; to regulate and restrict the size of buildings and other structures hereafter erected or altered, the size and dimensions of yards, courts and other open spaces surrounding buildings; to regulate and restrict building lines and the percentage of plot that may be occupied and the density of population; and, for said purposes, to divide the County of Broward, as shown on the official zoning map into districts of such number, shape and area as may be deemed best suited to carry out these regulations, and for each such district to impose regulations and restrictions designating the kinds or classes of industries, trades, residences, agriculture or other purposes for which other structures, or premises may be permitted to be erected, altered or used; to provide for the regulation of conforming and non-conforming uses; repealing all resolutions in conflict herewith; and to prescribe penalties for the violation of the provisions of this resolution.

WHEREAS, the Board of County Commissioners of Broward County, Florida, is authorized and empowered by Senate Bill No. 413 of the Local Acts of 1955, effective May 5, 1955, to adopt zoning and building regulations in the territory within Broward County which is not included in the corporate limits of any city or town, and to divide said territory into districts or zones and to regulate and restrict the uses of lands, buildings and other structures for trade, industry, residence or other purposes within said districts or zones and to regulate and restrict the construction, reconstruction, erection, alteration, repair, height, number of stories, size and location of buildings, and other structures within said districts or zones and to regulate and restrict the area, dimensions and the size of lots or tracts of land or yards, and the percentage and portion of lots that may be occupied in connection with the construction and location of buildings or other structures within said districts or zones, and

WHEREAS, the said Board of County Commissioners has appointed a Zoning Board to recommend the boundaries of the various original districts and appropriate regulations to be adopted and enforced therein and the said Zoning Board did make a preliminary report and did hold a public hearing thereon and did submit its final report to the said Board of County Commissioners; and

WHEREAS, the Board of County Commissioners of Broward County, Florida, did hold a public hearing on the final report of the Zoning Board, notice of which public hearing was published in a newspaper of general circulation published in Broward County more

than 15 days prior to the date of said public hearing, at which hearing any and all citizens, property owners or any other person or party of interest did have an opportunity to be heard in relation to the said report, its regulations, restrictions, maps, districts and boundaries, and

WHEREAS, the Board of County Commissioners of Broward County, Florida, deems it necessary in order to lessen congestion on the highways; to secure safety from fires, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewage, schools, parks and other requirements, to make and promulgate such regulations with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land and water throughout said County, in accordance with a comprehensive plan;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF BROWARD COUNTY, FLORIDA:

what?

ARTICLE I. INTENT, PURPOSE AND METHODS

The comprehensive plan of this Resolution is for the purpose of promoting public health, safety, morals, convenience, comfort, amenities, prosperity, and general welfare of the community and of a wholesome, serviceable and attractive county, by having regulations and restrictions that increase the safety and security of home life; that preserve and create a more favorable environment in which to rear children; that develop permanent good citizenship; that stabilize and enhance property and civic values; that provide for a more uniformly just land-use pattern and tax assessment basis; that facilitate adequate provisions for increased safety in traffic and for transportation, vehicular parking, parks, parkways, recreation, schools, public buildings, housing, light, air, water supply, sewerage, sanitation, and other public requirements; that lessen congestion, disorder and danger which often inhere in unregulated development; that prevent overcrowding of land and undue concentration of population; and that provide more reasonable and serviceable means and methods of protecting and safeguarding the economic structure upon which the good of all depends.

In order to more effectively protect and promote the general welfare and to accomplish the aims and purposes of this comprehensive plan, the County is divided into districts of such number, shape, and area, and of such common unity of purpose, adaptability or use, that are deemed most suitable to provide for the best general civic use, protect the common rights and interests of all, and to promote improved wholesome, slightly, harmonious and economic results in civic service, activities and operations; and by further regulations to limit the location, uses and occupancy of buildings, structures and land to be used for trade, industry, residence or other purposes, and also the location, height, bulk, occupancy and uses of buildings and other structures, including the percentage of plot occupancy and coverage, street setback lines, sizes of yards, and other open spaces.

SECTION 1.1 ZONING RESOLUTION

This Ordinance shall be known and cited as the Zoning Resolution. A resolution to regulate and restrict the erection, reconstruction, alteration, location and use of buildings, structures, land and water, for industry, trade, residence, agriculture or other purposes; to regulate and restrict the size of buildings and other structures hereafter erected or altered, the size and dimensions of yards, courts and other open spaces surrounding buildings; to regulate and restrict building lines and the percentage of plot that may be occupied and the density of population; and, for said purposes, to divide the County of Broward, as shown on the official zoning map into districts of such number, shape and area as may be deemed best suited to carry out these regulations, and for each such district to impose regulations and restrictions designating

the kinds or classes of industries, trades, residences, agriculture or other purposes for which other structures or premises may be permitted to be erected, altered or used; to provide for the regulations of conforming and non-conforming uses; repealing all resolutions in conflict herewith; and to prescribe penalties for the violation of the provisions of this Resolution.

ARTICLE II. DEFINITIONS

SECTION 2.1 GENERAL

For the purpose of the Zoning Resolution certain terms used herein are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural and words in the plural number include the singular number. The word "shall" is always mandatory and not merely directory. The word "building" shall include the word "structure". The word "used" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used. The word "land" shall include water surface and land under water.

SECTION 2.2 TERMS DEFINED

ACCESSORY BUILDING OR STRUCTURE: A subordinate building or structure on the same plot with, or a part of, the main building, which is occupied by, or devoted to, an accessory use.

ACCESSORY USE: A use naturally and customarily incidental to, subordinate to, and subservient to the main use of the premises.

ALLEY: A public thoroughfare or way, not more than 30 feet in width and which normally provides a secondary means of access to abutting property.

ALTERATION: Alter or alteration shall mean any change in size, shape, character, occupancy or use of a building or structure.

APARTMENT, EFFICIENCY: A dwelling unit in a multiple dwelling, consisting of not more than one habitable room, together with kitchen or kitchenette and sanitary facilities.

APARTMENT HOTEL: A multiple dwelling under resident supervision, which maintains an inner lobby through which all tenants must pass to gain access to the apartments and which may furnish dining room service.

AUTOMOBILE WRECKING: The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

AUTOMOBILE REPAIR, MAJOR: General repair, rebuilding or reconditioning of engines, motor vehicles or trailers; collision service including body, frame or fender straightening or repair; overall painting or paint shop; vehicle steam cleaning.

AUTOMOBILE REPAIR, MINOR: Incidental body or fender work, other minor repairs, painting and upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and

one-half tons capacity, but not including any operation listed under "Automobile Repair, Major" or any other operation similar thereto.

BUILDING: Any structure, either temporary or permanent, having a roof, and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This definition shall include tents, awnings, or vehicles situated on private property and serving in any way the function of a building.

BUNGALOW OR HOUSE COURTS: A group of two or more separate residential buildings on the same plot, having separate outside entrances for each dwelling unit.

BUSINESS-ZONED PROPERTY: Shall mean any land or water area whose zoning district classification is B-1, B-2, B-2A, B-3, or C-1, under this Resolution.

BAR OR SALOON: Any place devoted primarily to the retailing and drinking of malt, vinous or other alcoholic beverages, or any place where any sign is exhibited or displayed indicating that alcoholic beverages are obtainable for consumption on the premises.

CARPORIT: A private garage not completely enclosed by walls and doors.

CHANGE OF OCCUPANCY: The term "change of occupancy" shall mean a discontinuance of an existing use and the substitution therefore of a use of a different kind or class. Change of occupancy is not intended to include a change of tenants or proprietors unless accompanied by a change in the type of use.

CLUB, PRIVATE: Shall pertain to and include those associations and organizations of a fraternal or social character, not operated or maintained for profit. The term "private club" shall not include casinos, night clubs, or other institutions operated as a business.

CLUB, NIGHT: A restaurant, dining room, bar or other similar establishment providing food or refreshments wherein floor shows or other forms of entertainment by persons are provided for guests after 11:00 o'clock P.M.

COMMERCIAL VEHICLE: Any vehicle designed, intended or used for transportation of people, goods or things other than private passenger vehicles and trailers for private non-profit transport of goods and boats.

COMMISSION OR COUNTY COMMISSION: The Board of County Commissioners of Broward County.

COMPLETELY ENCLOSED BUILDING: A building separated on all sides from adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

CONVALESCENT HOME: A building, or portion thereof, wherein for compensation, living accommodations and care are provided for persons suffering from illness, other than mental or contagious, which is not of sufficient severity to require hospitalization, or for persons requiring further institutional care after being discharged from a hospital other than a mental hospital.

COVERAGE: That percentage of the plot area covered or occupied by buildings or roofed portions of structures. Shuffleboard courts, swimming pools, barbecue pits, terraces and other appurtenances not roofed-over shall not be included in computing coverage.

DISTRICT: A portion of the territory of Broward County within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Resolution.

DISTRICT, MORE RESTRICTED OR LESS RESTRICTED: Each of the Districts as listed in Section 10.1 shall be deemed to be more restricted than any of the other districts succeeding it, and each shall be deemed to be less restricted than any of the other districts preceding it in said list.

DRIVE-IN RESTAURANT OR REFRESHMENT STAND: Any place or premises used for the sale, dispensing or serving of food, refreshments or beverages to patrons who enter upon the premises in automobiles and receive service in automobiles, or for consumption of food, refreshments or beverages in automobiles.

DWELLING: Any building, or part thereof, occupied in whole or in part, as the residence or living quarters of one or more persons, permanently or temporarily, continuously or transiently.

DWELLING, ONE-FAMILY: A dwelling occupied not otherwise than by one family.

DWELLING, TWO-FAMILY: A dwelling occupied not otherwise than by two families.

DWELLING, MULTIPLE: A dwelling occupied by three or more families.

DWELLING UNIT: A space, area or portion of a building designed for and occupied by one family as a dwelling, with cooking facilities for the exclusive use of such family.

DWELLING, GROUP: A building, or part thereof, in which several unrelated persons or families permanently reside, but in which individual cooking facilities are not provided for the persons or families. "Group Dwelling" may include a rooming house, fraternity house, sorority house, convent, monastery or private club in which one or more members have a permanent residence. "Group Dwelling" shall not be deemed to include a hotel, motel, tourist home, trailer camp.

ENFORCING OFFICIAL: Shall mean the officers and employees of the department, bureau or agency of Broward County to whom the duty of enforcing the terms of this Resolution is assigned under the Resolution.

ERECTED: The word "erected" includes built, constructed, reconstructed, moved upon or any physical operations on the premises required for building. Excavations fill, drainage, and the like shall be considered a part of erection.

ESTABLISHED GRADE: The average elevation of the public sidewalks around or abutting a plot, or in the absence of sidewalks the average elevation of the public streets abutting the plot.

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including building.

FAMILY: One person, or a group of two or more persons living together and interrelated by bonds of consanguinity, marriage, or legal adoption, occupying the whole or part of a dwelling as a separate housekeeping unit with a single set of culinary facilities. The persons thus constituting a family may also include gratuitous guests and domestic servants.

FLOOR AREA: Where a specified minimum floor area is required in the Zoning Resolution for a dwelling, floor area shall mean the total gross floor area within the exterior enclosing walls including porches, breezeways and utility rooms, which are fully enclosed and directly accessible from the interior of the dwelling, but excluding other utility rooms and carports, garages, or unenclosed terraces.

FRONTAGE OF A BUILDING: Shall mean the side or wall of a building approximately parallel and nearest to a street.

FRONTAGE OF A PROPERTY: Shall mean the plot line which abuts a street or separates the plot from a street.

GARAGE, COMMUNITY: A building or part thereof, used for indoor parking of a self-propelled private passenger vehicle, for use of residents in the vicinity and providing only incidental services for such vehicles as are parked therein.

GARAGE, MECHANICAL: A structure for the parking of self-propelled passenger vehicles wherein such vehicles are parked by mechanical means.

GARAGE, PRIVATE: An accessory structure designed or used for inside parking of self-propelled private passenger vehicles by the occupants of the main building.

GROUP HOUSING: Shall mean two or more buildings for dwelling purposes erected or placed on the same plot.

HAZARDOUS SUBSTANCES: Any substance or material which, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health or safety of any person handling or using or otherwise dealing with such material or substances.

HEIGHT OF BUILDING: The vertical distance from the established grade at the center of the front of the building to the highest point of the roof surface for a flat roof, to the deck line for a mansard roof and to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

HOME OCCUPATION: Any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof and in connection with which there is no display or stock in trade, the home occupation shall not occupy more than 25% of the floor area of the dwelling unit and shall not involve the use of any accessory building or yard space, or activity outside of the main building not normally associated with residential use. Home occupation shall include the use of the home by a resident physician, surgeon, dentist, lawyer, clergyman, engineer, architect or other professional person for consultation or emergency treatment. In no event shall a barber shop, beauty parlor, tea room, tourist home, animal hospital, nursing home, retail store, dancing or band instrument instruction, or clairvoyant be construed as a home occupation.

HOTEL: A building, or part thereof, in which sleeping accommodations are offered to the public, with no cooking facilities for use by the occupants, and in which there may be a public dining room for the convenience of the guests. Access to the sleeping rooms shall be through an inside lobby or office.

INDUSTRIALLY-ZONED PROPERTY; Shall mean any land or water area whose zoning district classifications is M-1, M-2, or M-3 under this Resolution.

INFLAMMABLE LIQUID: Any liquid, which under operating conditions gives off vapor which, when mixed with air, is combustible and explosive.

JUNK YARD: Place, structure or lot where junk, waste, discarded, salvaged, or similar materials such as old metals, wood, slush, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc., are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, used

lumber yards, housewrecking yards and yards or places for storage or handling of salvaged house wrecking and structural steel materials. This definition shall not include pawn shops and establishments for the sale, purchase, or storage of usable second hand cars, salvaged machinery, used furniture, radios, stoves, refrigerators or similar household goods and appliances. Nor shall it apply to the processing of used, discarded or salvaged materials as part of manufacturing operations.

KENNEL: Any place or premises where 4 or more dogs over 4 months of age are kept.

LAND PLATTED: Any land recorded by plat in the Broward County Circuit Court Clerk's office.

LAND UNPLATTED: Any land or part thereof, not recorded by plat in the Broward County Circuit Court Clerk's Office.

LODGING HOUSE: A building, or part thereof, other than a motel or hotel, where sleeping accommodations are provided for hire more or less transiently without provisions for cooking by guests or for meals for guests.

LOT: A parcel or tract of land designated and identified as a single unit of area in a subdivision plat officially recorded in the Broward County Circuit Court Clerk's Office.

MOTEL: A building or part thereof, in which sleeping, and/or living accommodations are offered to the public primarily on a short term or transient basis, with access to the individual units from the exterior of the building and parking facilities for use of guests near their quarters.

NON-CONFORMING STRUCTURE: A structure or portion thereof, existing at the effective date of this Resolution, or any amendment thereto, which was occupied, designed, erected, intended, or structurally altered for a use not permitted at its location by the provisions of this Resolution for a new use, and/or which does not conform to all of the regulations applicable to the district in which it is located.

NON-CONFORMING USE: The use of a structure or premises, existing at the effective date of this Resolution, or any amendment thereto, for any purpose not permitted for a new use in the district in which it is located.

NURSING HOME: A home for aged, chronically ill, or incurable persons in which 3 or more persons not of the immediate family are received, kept, or provided with food and shelter or care for the compensation, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

NURSERY SCHOOL: A place for the day care and instruction of children not remaining over night.

OCCUPIED: The word "occupied" includes arranged, designed, built, altered, converted, to, rented or leased, or intended to be occupied.

PACKAGE STORE: A place where alcoholic beverages are dispensed or sold in containers for consumption off the premises.

PARKING: The term "parking" shall mean the temporary, transient storage or private passenger automobiles used for personal transportation, while their operators are engaged in other activities. It shall not include storage of new or used cars for sale, service, rental, or any other purpose other than specified above. "Parking" as defined herein shall apply only to open-air storage of automobiles.

PERSON: The word "person" includes association, firm co-partnership or corporation.

PLOT: Land occupied or to be occupied by a building or use, and their accessory building and accessory uses, together with such yards and open spaces as are required by this Resolution. A plot may consist of one, or more, or portions of a platted lot and/or unplatted land.

PLOT CORNER: A corner plot is a plot of which at least two adjacent sides abut for their full length upon street, provided that such two sides intersect at an interior angle of not more than 135 degrees. Where a plot is on a curve, if tangents through the intersections of the lot lines with the street lines make an interior angle of not more than 135 degrees, such a plot is a corner plot. In the case of a corner plot with a curved street line, the corner shall be considered to be that point on the street line nearest to the point of intersection of the tangents herein described.

PLOT, INTERIOR: A plot other than a corner plot.

PLOT, REVERSED CORNER: A corner plot the side street line of which is substantially a continuation of the front plot line of the first plot to its rear.

PLOT, THROUGH: A plot abutting on two streets, not at their intersection, if any which may be either a corner or interior plot.

PLOT, KEY: The first plot to the rear of a reversed corner plot whether or not separated by an alley therefrom.

PLOT, DEPTH: The mean horizontal distance between the front and rear plot lines.

PLOT WIDTH: The horizontal distance between the side plot lines at the depth of the required front yard.

PLOT LINE, FRONT: The line dividing a plot from a street or base building line, whichever will result in a lesser depth of plot. On a corner plot the shorter of the two front plot lines as above defined shall be considered to be the front plot line for the

purposes of determining required plot width and required front yard depth. On a corner plot where both front plot lines as above defined are equal or within 5 feet of the same length, both such lines shall be considered to be front plot lines for the purpose of determined required street yard depth. On through lots both front plot lines as above defined shall be considered to be front plot lines for the purpose of determining required yards.

PLOT LINE, REAR: The plot line opposite and most distant from the front plot line. In the case of a triangular or gore-shaped plot wherein the two side plot lines converge in the rear, the rear plot line shall be considered to be a line ten feet in length within the plot parallel to and at the maximum distance from the front plot line.

PLOT LINE, SIDE: Any plot line other than a front or rear plot line. A side plot line separating a plot from a street is called a side street plot line. A side plot line separating a plot from another plot or plots is called an interior or side plot line.

PLOT LINE, STREET OR ALLEY: A plot line separating the plot from a street or alley.

PORCH: A roofed-over space attached to the outside of an exterior wall of a building, which has no enclosure other than the exterior walls of such building. Open mesh screening shall not be considered an enclosure.

POULTRY: Any chickens, turkeys, ducks, geese, peafowl or guinea fowl.

POULTRY MARKET: A commercial establishment or place where live poultry or fowls are kept and prepared for sale, including killing or cleaning.

REMODELING, REDECORATING OR REFINISHING: Any change, removal replacement, or addition to walls, floors, ceilings and roof surfaces or coverings which do not support any beam, ceiling, floor load, bearing partition, columns, exterior walls, stairways, roofs or other structural elements of a building or a structure.

RESIDENTIALLY-ZONED PROPERTY: Shall mean any land or water area whose zoning district classification is A-1, R-1A, R-1B, R-1C, R-1T, R-2, R-3, R-4, R-4A, R-5, R-6, or T-1.

RESTAURANT: A building or room, not operated as a dining room in connection with a hotel, where food is prepared and served for pay for consumption on the premises.

ROOM: For the purpose of determining the required plot area, room shall mean an unsubdivided portion of the interior of a dwelling, having a floor area of 80 square feet or more, intended or adopted for living and/or sleeping purposes. Space in a dwelling used only for bathroom, kitchen, dining room, storage, hallway, utilities or similar purposes shall not be included as a room under this definition.

SERVICE STATION: Any building or land used for retail sale and dispensing of automobile fuels or oils. A filling station may furnish supplies, equipment, and minor repair services, including used tires, to private passenger vehicles incidental to sale and dispensing of automobile fuels and oils.

SETBACK: The minimum distance between the street line, or base building line, and the front line or side line of the building or any projection thereof, excluding projections specifically permitted.

SIGN: Any structure, or part thereof, or any device attached to a structure or applied to any surface or object, for visual communication, embodying letters, numerals, symbols, figures or designs in the nature of an announcement, direction of advertisement, directing attention to an object, product, place, activity, service, person, institution, organization or business and which is visible from any public street, alley, waterway or public place.

This definition of a sign shall not include any flag, notice, badge, or ensignia of any government or governmental agency, or any legal notice posted by and under governmental authority.

SIGN, ADVERTISING: Any sign which directs attention to a business, commodity, service, product or activity not conducted, sold, offered or available on the premises where such sign is located or to which it is affixed.

SIGN ANIMATED: A sign which involves motion or rotation of any part by any means, or displays flashing, intermittent or color changing light or lighting.

SIGN, AREA OF: The total surface of a sign including its background and frame but not structural supporting elements outside of its frame. Where a sign is composed of skeleton letters, characters, or symbols applied to a frame or to a background which is not a structural part of the sign, the area of the sign shall be the smallest rectangle, triangle or circle which will include the display. Where a sign is built with two faces back to back, the area of the sign shall be the larger of the areas of the two faces computed as hereinbefore specified.

SIGN, BALLOON: A sign supported by wind or air and attached to the ground, a building or structure.

SIGN BANNER: A sign having characters, letters, symbols or illustrations made of or applied to cloth, paper or fabric of any kind, with or without a frame.

SIGN, BILLBOARD: A sign designed for the application of letters, numerals symbols, characters or illustrations by painting, light projection, bills or posters, which is to be changed regularly, periodically or frequently.

SIGN, BULLETIN: A sign having changeable letters or characters, intended to indicate activities, events, or programs conducted on the premises upon which it is located.

SIGN, COMBINATION VERTICAL AND ROOF: A vertical projecting sign which extends above the roof line and is combined with a roof sign. The surface of such a sign shall be continuous on both parts and shall be contiguous to the wall and the roof.

SIGN, DIRECTIONAL: A sign indicating the direction or location of some facility or service incidental to a use and not advertising the use itself in any way.

SIGN, GROUND: A sign attached to and supported by the ground.

SIGN, IDENTIFICATION: A sign which indicates the name of a use owner, activity, business or enterprise, but including nothing more.

SIGN, ILLUMINATED: A sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes designed and provided for such illumination.

SIGN, MARQUEE: A sign attached to and made a part of the outer edge of a marquee.

SIGN, NAME PLATE: A sign indicating the name and/or profession of a person or persons residing on the premises or legally occupying the premises, or indicating a home occupation legally existing on the premises.

SIGN, NON-ILLUMINATED: A sign which is not illuminated by lights, designed and provided for the purpose, either external or internal.

SIGN, PROJECTING: A sign attached to and supported by a building or other structure and which extends at an angle therefrom.

SIGN, POLE: A ground sign supported by a single pole or pipe.

SIGN, HORIZONTAL PROJECTING: A projecting sign which has its greatest dimension in a horizontal plane.

SIGN, PYLON: A wall sign on the wall of an enclosed structure, which is erected above the ground or as an extension above or an addition to a building, primarily for the purpose of providing support and/or background for the sign copy.

SIGN, REAL ESTATE: A sign which advertises the sale, rental or development of the premises upon which it is located.

SIGN, ROOF: A sign which is erected on or above the roof of a building or structure.

SIGN, SERVICE: A sign which directs attention to a business, service or activity located on the premises. In addition to the sign above described, a service sign may be used to direct attention to products, goods or merchandise available for purchase on the premises provided that the total area of the copy devoted to

such purposes shall not exceed twice the area of the sign or portion of sign which directs attention to the business service or activity.

SIGN, SIDEWALK OR SANDWICH: A sign which is movable and not secured or attached directly or indirectly to the ground.

SIGN, SNIPE: Any small sign of any material, including paper, cardboard, wood or metal, attached to a pole, tree, structure or building on public property, or on private property without the written permission of the owner of the property.

SIGN TRESPASSING OR CAUTION: A sign intended to warn off trespassers or to point out a hazard, on the premises upon which the sign is located.

SIGN, VERTICAL PROJECTING: A projecting sign which has its greatest dimension in a vertical plane.

SIGN, V-TYPE PROJECTING: A projecting sign having its greatest dimension between faces at the wall end, and its least dimension between faces at the outer end, or two projecting signs connected at their outer ends.

SIGN, WALL: A sign which is approximately parallel to and supported by the outer enclosure of a building, or which is applied to such enclosure by any means.

STREET: A public thoroughfare 20 feet or more in width which affords principal means of access to abutting property.

*STREET LINE: Shall mean the right of way line of a street or the base building line, whichever will provide for a greater width of street.

STRUCTURE: Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground.

STRUCTURAL ALTERATION: Any change, except for repair or replacement, in supporting members of a building or structure, such as bearing walls, columns, beams or girders.

TENT: Any structure or enclosure, the roof of which and/or one half or more of the sides, are of silk, cotton, canvas, fabric or a light material.

TOURIST CAMP OR PARK: Any plot of ground upon which three or more single family camp cottages or tents are located and maintained for the accommodation of transients whether or not a charge is made.

TOURIST COURT: A group of attached or detached dwellings which are provided primarily for transient guests, including auto courts, motels and motor lodges.

TOURIST HOME: A building, or part thereof, other than a motel or hotel, where sleeping accommodations are provided for transient guests, with or without meals, and which also serves as the residence of the operator.

TRAILER: Any vehicle or structure constructed so as to permit occupancy thereof as sleeping or living quarters, or the conduct of any business trade or occupation, or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets propelled or drawn by its own or other motive power. This definition shall include automobile trailers, trailer coaches and house trailers.

USE: The purpose for which land or a structure thereon is designed, arranged or intended, to be occupied or utilized, or for which it is occupied or maintained.

USE OF LAND: Includes use of water surface and land under water to the extent covered by zoning districts, and over which Broward County has jurisdiction.

USE, FIRST PERMITTED IN "X" DISTRICT: A use which in the sequence of successively less restricted districts occurs as a permitted use for the first time in the "X" District.

USE, PRINCIPAL OR MAIN: The primary use of the plot as distinguished from secondary or accessory uses. There may be more than one principal or main use on the plot.

USE, NON-RESIDENTIAL: A use permitted in a specific residential zoning district, which is not residential in character, such as recreation or governmental buildings, cemetery, crematory, mausoleum, library, art gallery, museum educational, recreational or social center, church, nursery school, child care center, public, private or parochial schools, hospital, sanitarium, convalescent home, orphanage, institutions for the aged, indigent or infirm, community garage, private club, lodge, fraternity, sorority, educational, philanthropic or eleemosynary institutions, medical or dental office or clinic, college or university.

USE, RESIDENTIAL: A use for living or sleeping of persons not institutional in character, such as a one-family, two-family or multiple dwelling, rooming house, hotel, motel, tourist home, lodging house, boarding house, villas, bungalow court.

USE TRANSITIONAL: A use of land or buildings located or permitted to be located on certain plots abutting a zoning district boundary line in the more restricted of the two different zoning districts on either side of such boundary line, in accordance with the provisions of Section 3.24 of the Zoning Resolution, which use is not among the uses generally permitted in other locations in said more restricted district.

VARIANCE: A modification of, or deviation from, the regulations of the Zoning Resolution which is authorized and approved by the Board of Adjustment after it finds that the literal application of the

provisions of the Resolution would cause unnecessary hardship or practical difficulty in the use or development of a specific plot or building.

WATERWAY: A stream, canal or body of water, dedicated to public use, publicly owned, or used and available for public travel by boats, not including privately-owned bodies of water or drainage ditches.

YARD: A space on the same plot with a structure or use, open and unobstructed from the ground to the sky except by encroachments specifically permitted in the Zoning Resolution. Yard measurements shall be the minimum horizontal distances. Yards shall extend and be measured inward from the respective plot lines.

YARD, FRONT: A yard extending across the full width of the plot between the front plot line and the nearest line of the main use or main building on the plot.

YARD, REAR: A yard extending across the full width of the plot between the rear plot line and the nearest line of the main building.

YARD, REQUIRED: Shall mean the minimum yard required by the Zoning Resolution. Any yard space supplied in excess of the minimum amount specified shall not be deemed to be a required yard.

YARD, SIDE: A yard extending from the front yard to the rear yard, between the side plot line and the nearest line of any building or use on the plot. The width of a side yard shall be the shortest distance between the sideplot line and the nearest use or building on the plot.

ZONING BOARD: The Zoning Board of Broward County.

ZONING CERTIFICATE: A document issued by the Enforcing Official authorizing buildings, structures or uses consistent with the terms of the Zoning Resolution and for the purpose of carrying out and enforcing its provisions.

ARTICLE III. GENERAL PROVISIONS

SECTION 3.1 CONFLICTING REGULATIONS

Wherever any provisions of this Resolution impose more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or resolution, then the provisions of this Resolution shall govern.

SECTION 3.2 SCOPE

No building or structure, or part thereof, shall hereafter be erected, constructed, reconstructed or altered. and maintained, and no existing use, new use or change of use of any building, structure or land, or part thereof shall be made or continued, except in conformity with the provisions of this Resolution.

SECTION 3.3 BUILDING UNDER CONSTRUCTION

Any building or structure for which a lawful building permit has been issued, and the construction of which has been started prior to the effective date of this Resolution, may be completed and used in accordance with the plans and specifications upon which said building permit was granted, provided such construction is completed within one year after the effective date of this Resolution.

SECTION 3.4 OUTSTANDING PERMITS

1. Where, at the effective date of this Resolution, there are outstanding valid building permits, authorizing the construction of building, structures, additions or alterations, the use or construction of which do not conform to the requirements of this Resolution such permits shall be void unless actual construction work, excluding grading, or excavating is underway within 60 days of the effective date of this Resolution.
2. Where, at the effective date of this Resolution, there are outstanding valid permits, authorizing the use of land or buildings without construction work, and where such use is not permissible under the terms of this Resolution, such permit shall be void unless the use is actually in operation on that date.

SECTION 3.5 UNCOMPLETED STRUCTURES

No building or structure not completed in substantial conformity with plans and specifications upon which the building permit for its construction was issued, shall be maintained, or be permitted to remain unfinished, for more than six months after the construction of such building was begun except under such

conditions and for such period as may be prescribed in a special approval granted by the County Commission, which approval shall be based upon conformity with, and promotion of, the spirit and purpose of the Zoning Resolution.

SECTION 3.6 TIME LIMIT

Where the Board of Adjustment or County Commission have given or granted an approval, special permit or a variance pursuant to the provisions of this Resolution, such approval or grant shall become null and void unless a permit pursuant thereto is issued within 90 days of the date of such action by the Board of Adjustment or County Commission.

SECTION 3.7 ERRORS AND VIOLATIONS

1. The issuance or granting of a permit or approval of plans and/or specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Resolution. No permit presuming to give the authority to violate or cancel the provisions of this Resolution shall be valid except insofar as the work or use which it authorizes is lawful.
2. The issuance of a permit upon plans and specifications shall not prevent the Enforcing Officer from thereafter requiring the correction of errors in said plans and specifications or from preventing building operations being carried on thereunder when in violation of this resolution, or any regulation of Broward County.

SECTION 3.8 EXISTING PLATTED LOTS

Where such conditions exist in present platted and recorded areas that strict conformance with plot width, depth, or area or yard requirements causes unnecessary difficulty in the practical utilization of a corner or interior plot, the Board of Adjustment or the County Commission may make such alterations or deviations in the application of these requirements, as will in its judgments, permit the reasonable development and use of a specific plot in such a manner as to carry out the spirit and purpose of this Resolution.

SECTION 3.9 BOATS AS RESIDENCES

No boat or vessel shall be used or maintained for sleeping or living purposes or as a place of residence which is not sound, seaworthy and equipped with self-propelling machinery in good operating condition.

SECTION 3.10 TENTS

No tent shall be erected, used or maintained for living quarters

except for camping or recreational activities.

SECTION 3.11 NQ REDUCTION OF REQUIRED AREA

No plot, yard, setback, clearance, parking area, or other space shall be reduced in area or dimension so as to made said area or dimension less than the minimum required by this Resolution; and if already less than the minimum required by this Resolution for a new building or use, said area or dimension shall not be further reduced. No part of a required yard, setback, clearance, parking area, or other space provided about, or for any building structure or use for the purpose of complying with the provisions of this Resolution, shall be included as part of a yard, setback, clearance, parking area or other space required under this Resolution for another building, structure, or use, unless specifically permitted under this Resolution.

SECTION 3.12 REPLATTED LOTS

No resubdivision of platted lots shall be permitted except by an approved and recorded amended plat. In any such resubdivision no lot shall be created of lessor size than the minimum plot required in the District within which such land is located.

SECTION 3.13 STREET FRONTAGE REQUIRED

Except as may be permitted by other provisions of this Resolution, no plot shall contain any building used in whole or in part for dwelling purposes unless such plot abuts for at least 25 feet on a street, and there shall not be more than one single-family dwelling for such minimum frontage.

SECTION 3.14 DOUBLE FRONTAGE

Where a plot is bounded on two opposite sides by streets, front yards, when required, shall be provided on both streets and accessory buildings shall not be located in either front yard.

* SECTION 3.15 USE OF PREMISES WITHOUT BUILDINGS

Where a plot is to be occupied for a permitted use without buildings, the side yards and front yard required for such plot shall be provided and maintained unless otherwise stipulated in this Resolution, except that sideyards and rear yards shall not be required on plots used for private garden purposes without buildings or structures nor on plots used for public recreation areas.

SECTION 3.16 GROUP HOUSING

Where two or more separate buildings for dwelling purposes are erected or placed on the same plot, minimum front, side and rear yards shall be provided as required by this Resolution. The spacing, arrangement and distance between buildings on the

plot shall be subject to the approval of the Enforcing Officer to provide adequate light, air, privacy and safety in accordance with the spirit and purpose of this Resolution.

SECTION 3.17 YARD ENCROACHMENTS

Every part of every required yard shall be open and unobstructed from the ground to the sky except as hereinafter provided or as otherwise permitted in the Zoning Resolution.

1. Sills or belt courses may project not over 12" into a required yard.
2. Cornices, eaves or gutters may project not over 1/3 of the required yard with a maximum of 5 feet, provided that where the yard is less than 5 feet in width such projections shall not exceed $\frac{1}{2}$ the width of the yard.
3. Chimneys, fireplaces or pilasters may project not over 2 feet into a required yard.
4. Movable awnings may be placed over doors or windows in any required yard, but such awnings shall not project closer than one foot to any plot line.
5. Fire escapes, stairways and balconies which are unroofed and unenclosed may project not over 5 feet into a required rear yard, or not over 3 feet 8 inches into a required side yard, of a multiple dwelling, hotel or motel.
6. Meter rooms not over 7 feet in height may project not over 5 feet into a required yard.
7. Unenclosed porches or terraces extending not over 3 feet 6 inches above the ground except for railings and roof structure, may extend 5 feet into a required front yard, or not over 10 feet into a required rear yard, or not over 3 feet into a required side yard, provided that any such structure having a roof shall not extend closer than 2 feet to any plot line.
8. Hoods, canopies or marquees may project not over 1/3 of the required yard, with a maximum of 5 feet, but shall not extend nearer than one foot to any plot line.
9. Fences, walls and hedges shall be permitted in required yards as specified in Section 3.18 of this Article.
10. In R-3, R-4, R-4A, R-5 and R-6 Districts the first 5 feet of a required front or street side yard, adjacent to a street, shall be landscaped and shall not be used for parking except on plots developed with a one-family or a two-family

dwelling, but this 5 foot landscaped strip may be crossed by sidewalks and driveways reasonably necessary for access to buildings and permissible parking areas. Other portions of required yards may be used for accessory parking. This regulation shall apply only to streets designated as Trafficways by the County Commission.

SECTION 3.18 FENCES, WALLS AND HEDGES

1. Except as provided in Paragraph 3 of this Section no fence or wall shall be erected or maintained along or adjacent to a plot line on residentially zoned property to a height exceeding 4 feet in a front yard or street side yard, 5 feet in a side yard or 6 feet in a rear yard, except that where the plot line is adjacent to non-residentially zoned property there shall be an 8 foot limit on the height of a fence or wall along such plot line.
2. No fence or wall shall be erected, placed, or maintained along a plot line on any non-residentially zoned property, adjacent to residentially zoned property to a height exceeding 8 feet.
3. In any Residential District no fence, wall or hedge shall be erected, constructed, maintained or grown to a height exceeding 2 feet above the street grade nearest thereto, within 20 feet of the intersection of any street lines or of the street lines produced.

SECTION 3.19 ACCESSORY USES AND STRUCTURES

1. In residential Districts all accessory buildings and uses shall not be located in any required yard other than a rear yard.
2. In residential Districts all accessory buildings and uses in a rear yard shall be located at least 5 feet from any plot line, at least 15 feet from any street line and at least 10 feet from any main building or other accessory building. Accessory buildings and structures shall not exceed two stories or 24 feet in height. A private garage not over one story in height may be located not less than 5 feet from a rear or inside side plot line.
3. In non-residential Districts, all uses and structures, which are not permissible as principal uses or structures, shall be located on the half or quarter of the plot which is farthest from any street or streets upon which the plot abuts.
4. An accessory building or structure shall not be of greater height than a principal building on the plot, provided that this limitation shall not apply in M-2 or M-3 Districts.

5. Accessory buildings shall not occupy more than 35% of a required rear yard area.
6. Areas or appurtenances not covered by a roof and enclosed only by screens shall not be subject to the limitations of this Section
- *7. In Residential Districts, the location of accessory swimming pools shall be subject to the following regulations:
 - a. Unenclosed pools or pools enclosed only with open mesh screening may be placed in a required side or rear yard subject to limitations below, but shall not be placed in a required front or street side yard.
 - b. Any part of a pool which is covered by a roof or enclosed by side walls over 5 feet in height shall be subject to the limitations on location of a building and shall not be placed in any required yard.
 - c. Unenclosed pools or pools enclosed only with open mesh screening shall not be located less than 5 feet from any side or rear plot line, provided that no pool or pool enclosure shall be placed within a utility or drainage easement.
 - d. For the purposes of Subparagraph (c) above in regulating location, the minimum distance requirement from a plot line shall be measured from the exterior of the screen enclosure of a screen enclosed pool and from the inner edge or water line of the pool for an unenclosed pool.

SECTION 3.20 EXCLUSIONS FROM HEIGHT LIMITS

Penthouses, scenery lofts, towers, cupolas, steeples and domes, not exceeding in gross area at maximum horizontal section 30 per cent of the roof area, and flag poles, airplane beacons, broadcasting towers, antenna, chimneys, stacks, tanks and roof structures, used only for ornamental or mechanical purposes may exceed the permissible height limit in any district by not more than 25 per cent. Parapet walls may extend not more than 5 feet above the allowable height of a building. Radio and television for receiving purposes only shall not be subject to height limits.

*Effective 11/20/59

SECTION 3.21 BOAT HOUSES AND BOAT SLIPS

The following regulations shall apply to boat houses and boat slips in Residential Districts.

1. Height of Boat Houses: No boat house shall be erected or altered to a height exceeding 15 feet.
2. Setback of Boat Houses: No boat houses shall be built less than 5 feet from the established bulkhead or waterway line or less than 10 feet from any side plot line.
3. Accessory Building Attached to Boat House: No accessory building to a boat house which is attached thereto and a part thereof shall be erected or altered less than 20 feet away from the waterway line or established bulkhead line.
4. Detached Accessory Building to Boat House: No detached building accessory to a boat house shall be erected or altered less than 30 feet away from the waterway line or established bulkhead line.
5. Area of Boat Houses:
 - a. No boat house or similar structure shall exceed 20 feet in width measured on a line parallel to the waterway line, nor exceed 40 feet in depth measured at right angles to the waterway line.
 - b. No boat house, boat slip, or other similar structure nor accessory building, attached or detached, shall be erected or altered less than 10 feet away from any other Residentially-Zoned property.
 - c. Boat houses, boat slips and/or buildings accessory thereto, singly and collectively shall not occupy more than 25 per cent of the area of the plot.

SECTION 3.22 DOCKS AND WHARVES

Dockage space and facilities for mooring pleasure boats, yachts and non-commercial watercraft shall be permitted in any residential district on any waterway as an accessory use to a residential occupancy of a plot.

CHANGES TO ZONING REGULATIONS:

Revise ARTICLE III, Section 3.23, GROINS AND BREAKWATERS, to read as follows:

No groin, breakwater, piling or other obstruction shall be constructed, placed or altered in the waters of any waterway beyond the established bulkhead line except docks as provided in Section 3.22, nor shall any groin, breakwater or piling be constructed or located in the waters of the Atlantic Ocean unless such groin, breakwater or piling has been approved by the County Commission, after public hearing, as being not injurious to the rights of other nearby riparian and waterfront property owners, not detrimental to the proper development of Broward County and not contrary to the spirit and purpose of the Zoning Resolution. The approval of the U. S. Army Engineers shall also be obtained where that agency has jurisdiction.

Effective 8/26/60.

No dock shall project more than 5 feet into any waterway beyond the waterway line or established bulkhead line nor extend closer than 10 feet to the plot line of any other residentially-zoned property.

← SECTION 3.23 GROINS AND BREAKWATERS

No groin, breakwater, piling or other similar obstruction shall be constructed, altered or placed in the waters of any waterway beyond the established bulkhead line unless approved by the County Commission and the United States Army Engineers when such agency has jurisdiction.

SECTION 3.24 TRANSITIONAL USES IN 'R' DISTRICTS

In any R-1A, R-1B, R-1C, R-1T or R-2 District a transitional use shall be permitted on a plot the side plot line of which adjoins, either directly or across an alley, any Business, or Industrial District. The permitted transitional uses for any such plot in an R-1A, R-1B, R-1C or R-1T District shall be any use permitted in an R-2 District. The permitted transitional uses for any such plot in an R-2 District shall be any use permitted in an R-3 District. Any plot used for a transitional use shall comply in all respects with all of the requirements for plot size, yards, height, coverage, floor area ratio, offstreet parking, minimum floor area and other similar regulations for the district in which it is located. Any transitional use authorized under this Section shall not extend more than 60 feet from the side plot line of the plot abutting on the district boundary line.

SECTION 3.25 RESIDENTIAL USES IN NON-RESIDENTIAL DISTRICTS

The following regulations, supplementing and modifying other applicable district regulations, shall apply where a plot in a Non-Residential District is utilized for a permitted residential use, the size of the required yards being specified in the district regulations for the particular non-residential district involved:

1. Where the residential use is the only principal use on the plot, such plot shall be provided with front, side and rear yards.
2. Where a residential use is located on the first or ground floor and there is also a principal non-residential use on the first or ground floor such plot

shall be provided with a rear yard, and with side yards, extending to the rear yard, for the portion of the plot occupied by the residential use.

3. Where the residential use is located above a principal non-residential use, such plot shall be provided with a rear yard and with side yards on each side provided that such yards may begin at the level of the lowest floor used for residential purposes, and a side yard shall not be required on a street side of the plot.
4. Plots used for hotels and motels shall not be required to provide any more or greater yards than would be required for a non-residential use on the particular lot involved.

SECTION 3.26 DISTRICT BOUNDARY LINE PLOTS

1. Where a B-1, B-2, B-2A or B-3 District is separated by a street from a Residential District, then any plot in such Non-Residential District adjacent to the separating street shall be provided with a yard at least 25 feet in depth along such separating street.
2. Where a B-1, B-2, B-2A, or B-3 District directly abuts on a Residential District without any separator between them such as a street, alley, canal or other public open space, then any plot in such non-residential district shall be provided with a yard at least 10 feet in depth adjacent to the residentially-zoned property.
3. Where any C-1, M-1, M-2 or M-3 District is separated by a street from a Residential District, then any plot in such non-residential district adjacent to the separating street shall be provided with a yard at least 25 feet in depth along such separating street.
4. Where a C-1, M-1 or M-2 or M-3 District directly abuts on a Residential District without any separator between them such as a street, alley, canal or other public open space, then any plot in such non-residential district shall be provided with a yard at least 20 feet in depth adjacent to the Residentially-zoned property.
5. Where a yard is required in this Section, such yard may be used for walkways, parking of passenger cars, driveways and landscaping, but not for any other use or purpose.

SECTION 3.27 USE OF RESIDENTIALLY-ZONED PROPERTY FOR ACCESS

No land which is Residentially-zoned shall be used for driveway,

that would in any way constitute an eyesore or nuisance to adjacent property owners or residents or to the community.

SECTION 3.33 ACCESSORY DWELLINGS

Plots, having accessory dwellings where permitted in B-1, B-2, B-2A, B-3, C-1, M-1, M-2 and M-3 Districts, shall be provided with the yards which are required in R-6 Districts for such use except as modified by Section 3.25.

SECTION 3.34 SEWAGE DISPOSAL

Regardless of other provisions of this Resolution, under all classifications and in all districts, there shall always be sufficient ground area left unoccupied by a structure or paving for a proper system of sewage disposal conforming with the standard and requirements of the Broward County Department of Health. Plot plans accompanying building permit applications shall show clearly the proposed sewage disposal system.

SECTION 3.35 PLOTS IN SEPARATE OWNERSHIP

The requirements of this Resolution as to minimum plot area or width shall not be construed to prevent the use for a single-family dwelling, in any district in which such use is permitted, of any lot or parcel of land in the event such lot or parcel of land is held in separate ownership at the effective date of this Resolution.

* SECTION 3.36 REDUCTION OF PLOTS BELOW MINIMUM REQUIREMENTS

No parcel of land which has less than the minimum width and area requirements for the district in which it is located may be cut off from a larger parcel of land for the purpose, whether immediate or future, of building or development as a separate plot, except for landscaping or recreational purposes where properly authorized by the County Commission.

SECTION 3.37 STORAGE ON RESIDENTIAL PROPERTY

No land which is zoned in a Residential District shall be used for the storage of building materials or construction equipment except when incidental to construction operations for which a building permit is in effect.

* SECTION 3.38 CEMETERIES

Cemeteries shall not be subject to plot size and yard requirements as specified in the zoning regulations.

* Amended 3/13/59

or vehicular access purposes to any land which is Non-Residentially-zoned or used for any purpose not permitted in a Residential District.

SECTION 3.28 ELEVATION OF FILLED LAND

Any filled land created contiguous to the mainland or to any developed island in Broward County shall be filled so that the settled elevation of such filled land shall be not less than 5.5 feet.

All elevations required in this Section shall be measured above Mean Sea Level, U.S.C. & G.S. Datum.

SECTION 3.29 ESSENTIAL SERVICES

Essential services shall be permitted as authorized and regulated by law and resolutions of Broward County, it being the intention hereof to exempt such essential services from the application of this Resolution.

SECTION 3.30 COUNTY USES

The provisions of this Resolution are not intended, and shall not be construed, to preclude the use of any property by Broward County in any County government capacity, function or purpose.

SECTION 3.31 PUBLIC AND SEMI-PUBLIC BUILDINGS OR USES

The County Commission may, after Public Hearing, authorize the location of any of the following buildings or uses in any District from which they are prohibited by this Resolution.

1. Any public buildings erected and used by, or any use of, any department of Municipal, County, State or Federal Government.
2. Hospitals, Clinics and Institutions of an educational, religious, philanthropic or eleemosynary character, provided such use is confined within a building and provided that the building shall be set back from all plot lines a distance of not less than two (2) feet for each foot of building height and provided further that this regulation shall not require a yard having a depth or width or more than fifty (50) feet, unless a yard of greater depth or width is otherwise required in the District where such building is located.

SECTION 3.32 NUISANCES

Nothing shall be allowable on the premises in any District, provided for in this Resolution, that shall in any way be offensive or noxious by reason of the emission of odors, gases, dust, smoke vibration or noise (including the crowing of cocks, barking of dogs or any noises or odors emanating from any animal, fish or fowl). Nor shall anything be constructed or maintained

*SECTION 3.39 COMMISSION APPROVALS

In granting any special approval or giving any authorization pursuant to the provisions of the Zoning Resolution, the County Commission may modify the specific dimensional, locational or constructional requirements of the Zoning Resolution pertaining to the subject of the special approval or authorization, and/or include therein any conditions, limitations or requirements which the Commission may believe to be necessary and desirable to protect adjacent properties or the surrounding neighborhood, and to carry out the spirit and purpose of the Zoning Resolution.

*Effective 5/13/60

* ARTICLE IV BASE BUILDING LINES

SECTION 4.1 BASE BUILDING LINES ESTABLISHED

For the purpose of assuring sufficient space between the street fronts of buildings and structures to provide adequately for natural light, circulation of air, protection from fire, conflagration, floods, tornadoes and hurricanes, access for fire-fighting apparatus or rescue and salvage operations, to facilitate provisions for traffic, transportation and circulation and to promote increased safety, health and general welfare, base building lines are hereby established from which all front and street side yards and setbacks required by this Resolution are to be measured and determined, and beyond which no buildings, structures, or part thereof, excepting such encroachments beyond a street line as are specifically permitted by the Building Code or other regulations of Broward County shall be erected, structurally altered, enlarged or extended. Such encroachments shall be subject to all limits on character, size, extent, depth, height and clearance as are specified in such Regulations for each kind of encroachment. Said base building lines shall be located as specified for each of the following enumerated streets, and for all other streets in Broward County the base building line shall be located 25 feet from the center line, said center line to be determined and established by the County Engineer of Broward County except that where the existing street lines of streets other than those listed below provide a street width equal to or greater than 50 feet then such existing street lines shall constitute and be the base building lines, from which all required front or street side yards are to be measured:

<u>STREET</u>	<u>Distance in feet from Centerline to Base Building Line</u>
Through Section Line Roads	53
Non-through Section Line Roads	40
Andrews	50
Atlantic Boulevard Extension	50
Broward Boulevard	50
Cypress Creek	40
Davie Road	50
Deerfield (S.R. 810)	50

*Amended 7/1/58

<u>STREET</u>	<u>Distance in feet from Centerline to Base Building Line</u>
Hammonville (S.R. 814)	50
Hollywood Boulevard	60
Oakland Park Ocean Boulevard	50
Old Dixie Highway	40
Pembroke Road	50
Powerline Road	50
Prospect Field Road	50
Race Track Road	40
Sheridan	53
State Road No. 7	53
Sterling Road	50
Hallandale Beach Boulevard	50

* ARTICLE V. YARD SPACE DISTRICTS

SECTION 5.1 YARD SPACE DISTRICTS CREATED

Certain yard space districts are hereby created, within which yards not less than as hereinafter specified in this Article shall be provided notwithstanding any other provision of this Resolution. All other parts of the unincorporated portions of Broward County shall constitute and be defined as a yard space district within which the provisions of other Articles of this Resolution as to yards shall govern. The specific yard space districts and the regulations pertaining thereto are hereinafter delimited and defined.

SECTION 5.2 MINIMUM YARD SPACE DISTRICTS

1. Side Yards: There shall be a side yard along each lot line at least 10 feet in width free from any building or part thereof, for all residential buildings and accessory buildings.

(a) In Section 20, Township 50 South, Range 42 East. Riverland Manors, a subdivision in Sections 17 & 20, Township 50 South, Range 42 East, as recorded in Plat Book 27 at Page 49 of the public records of Broward County, Florida.

2. Front Yard: Every plot used for a one family dwelling shall have a front yard not less than 70 feet in depth.

(a) In Section 17, Township 50 South, Range 42 East: A strip 200 feet in depth parallel to and abutting the West right of way line of Southwest 27th Avenue, lying in the South one half ($S\frac{1}{2}$) of the North one half ($N\frac{1}{2}$), a strip 200 feet in depth parallel to and abutting the East right of way line of Southwest 27th Avenue lying in the South one half ($S\frac{1}{2}$) of the North one half ($N\frac{1}{2}$).

(b) That part of the Northwest quarter ($NW\frac{1}{4}$) of the Southeast quarter ($SE\frac{1}{4}$) lying West of the West right of way line of Southwest 27th Avenue (Riverland Road) all lying in Section 17, Township 50 South, Range 42 East; In Section 17, Township 50 South, Range 42 East. The North one half ($N\frac{1}{2}$) of Lot 10 of Block 10 of the subdivision of Brickell as recorded in Plat Book 2 at Page 58 of the public records of Dade County, Florida.

(c) In Section 17, Township 50 South, Range 42 East. That part of the South one half ($S\frac{1}{2}$) of the South

* Amended 11/14/58

- (c) one half ($S\frac{1}{2}$) of Section 17, Township 50 South, Range 42 East, lying North and West of Riverland Road less the West 680 feet.
3. Front Yard: Every plot used for a one family dwelling shall have a front yard not less than 70 feet in depth from Riverland Road.
- (a) In Section 17, Township 50 South, Range 42 East. The subdivision of Riverland Terrace as recorded in Plat Book 31 at Page 24; The subdivision of Stratoliner Estates as recorded in Plat Book 39 at Page 22; all subdivisions are as of the public records of Broward County, Florida.
4. Front Yard: Every plot used for a one family dwelling shall have a front yard not less than 30 feet in depth;
- (a) In Section 17, Township 50 South, Range 42 East. Lots 7, 8, 9 and the South one half ($S\frac{1}{2}$) of Lot 10 of Block 10, and that part of Block 13 lying South of Riverland Road of the subdivision of Brickell as recorded in Plat Book 2 at Page 58 of the public records of Dade County, Florida.
- (b) In Section 17, Township 50 South, Range 42 East. The subdivision of Palm Grove Acres as recorded in Plat Book 30 at Page 38 of the public records of Broward County, Florida.
- (c) In Section 17, Township 50 South, Range 42 East. The subdivision of River Lanes as recorded in Plat Book 22 at Page 24 of the public records of Broward County, Florida.
- (d) In Section 17, Township 50 South, Range 42 East. Lots 2, 5, 6, 7 & 8 of Block 2 of the subdivision of Riverland as recorded in Plat Book 19 at Page 12 of the public records of Broward County, Florida.
- (e) In Section 17, Township 50 South, Range 42 East. That part of the subdivision of Riverland Manors as recorded in Plat Book 27 at Page 49 of the public records of Broward County, Florida, lying in Section 17, Township 50 South, Range 42 East.
- (f) In Section 7, Township 50 South, Range 42 East. All of the interior lots of the subdivision of Melrose Park Section 3 as recorded in Plat Book 29 at Page 28 of the public records of Broward County, Florida.
- (g) In Section 7, Township 50 South, Range 42 East. All interior lots except in the North 125 feet of the subdivision of Melrose Park Section 2 as recorded in Plat Book 29 at Page 2 of the public records of Broward County, Florida.

- (h) In Section 7, Township 50 South, Range 42 East. All of the interior lots of the subdivision of Melrose Park Section 1 as recorded in Plat Book 27 at Page 6 of the public records of Broward County, Florida.
 - (i) In Section 20, Township 50 South, Range 42 East. The East 522.5 feet of Government Lot 3, Lots 9, 10, 11, 12, 15, 17 & 18 of Block 2 of the subdivision of Riverland as recorded in Plat Book 19 at Page 12 of the public records of Broward County, Florida; that portion of the subdivision of River Lanes as recorded in Plat Book 22 at Page 24 of the public records of Broward County, Florida; that portion of the subdivision of Palm Grove Acres as recorded in Plat Book 30 at Page 38 of the public records of Broward County, Florida.
5. Side Yard: Every plot used for a one family dwelling shall have a side yard on each side, each of which shall be at least 10 feet wide except where a plot is less than 60 feet in width, each side yard shall be at least 5 feet in width:
- (a) In Section 18, Township 50 South, Range 42 East. The subdivision of Riverland Village Section One (1) as recorded in Plat Book 27 at Page 44 of the public records of Broward County, Florida, less Lot 6 of Block 9 and Lots 2, 14, 15 & 16 of Block 4.
 - (b) Section 17, Township 50 South, Range 42 East. That part of the subdivision of Riverland Manors as recorded in Plat Book 27 at Page 49 of the public records of Broward County, Florida, lying in Section 17, Township 50 South, Range 42 East.
6. Set-back - Interior Lots: No building or part of a building such as Porte Cochere, garages, planting boxes or other appendages shall be set closer than 30 feet to the street right of way line upon which the front of said building shall face, provided that each building shall be considered as having one front and provided that the front shall face a public street only where such public street exists:
- (a) In Section 20, Township 50 South, Range 42 East. The subdivision of Riverland Manors as recorded in Plat Book 27 at Page 49 of the public records of Broward County, Florida, lying in Section 20, Township 50 South, Range 42 East.

* ARTICLE VI. MINIMUM FLOOR AREA DISTRICTS

SECTION 6.1 MINIMUM FLOOR AREA DISTRICTS CREATED.

Certain minimum floor area districts are hereby created, within which minimum floor areas for one-family dwellings shall be provided as hereinafter specified in this Article notwithstanding any other provision of this Resolution. All other parts of the unincorporated portions of Broward County shall constitute and be defined as a minimum floor area district within which the provisions of other Articles of this Resolution as to minimum floor areas for one-family dwellings shall apply and govern. The specific minimum floor area districts and the regulations pertaining thereto are hereinafter delimited and defined.

SECTION 6.2 MINIMUM FLOOR AREA DISTRICTS.

1. Minimum Floor Area 1150 square feet:
 - (a) In Section 6 & 7, Township 49 South, Range 43 East, for all water front plots in all the territory which lies between the North boundary of Lauderdale-By-The-Sea and the South Boundary of Pompano Beach, and between the Intracoastal Waterway and the Atlantic Ocean, except the subdivision of Sea Ranch Lakes as recorded in Plat Book 40 at Page 29 of the public records of Broward County, Florida.
2. Minimum Floor Area 1200 square feet:
 - (a) In Section 18, Township 50 South, Range 42 East. The subdivision of Riverland Village Section One (1) as recorded in Plat Book 27 at Page 44 of the public records of Broward County, Florida, less Lot 6 of Block 9, Lots 2, 14, 15 & 16 of Block 5 and Lots 8, 9 & 10 of Block 4.
 - (b) In Section 18, Township 50 South, Range 42 East. A resub of Blocks 10 through 16 inclusive and 19 & 20 of Riverland Village Section One (1) Revised as recorded in Plat Book 38 at Page 5, and the Amante School Site as recorded in Plat Book 47 at Page 17, all being of the public records of Broward County, Florida.
 - (c) In Section 17, Township 50 South, Range 42 East. Lots 7, 8, 9 and the South one half ($S\frac{1}{2}$) of Lot 10 Block 10 and that part of Block 13 lying South of Riverland Road of Brickell subdivision as recorded in Plat Book 2 at Page 58 of the public records of Dade County, Florida.

* Amended 11/14/58

- (d) In Section 17, Township 50 South, Range 42 East. The subdivision of Palm Grove Acres as recorded in Plat Book 30 at Page 38 of the public records of Broward County, Florida.
 - (e) In Section 17, Township 50 South, Range 42 East. The subdivision of River Lanes as recorded in Plat Book 22, at Page 24 of the public records of Broward County, Florida.
 - (f) In Section 17, Township 50 South, Range 42 East. Lots 2, 5, 6, 7 & 8 of Block 2 of the subdivision of Riverland as recorded in Plat Book 19 at Page 12 of the public records of Broward County, Florida.
 - (g) In Section 17, Township 50 South, Range 42 East. That part of the South one half ($S\frac{1}{2}$) of the South one half ($S\frac{1}{2}$) of Section 17, Township 50 South, Range 42 East, lying North and West of Riverland Road less the West 680 feet.
 - (h) In Section 20, Township 50 South, Range 42 East. Government Lot 2 and the East 522.5 feet of Government Lot 3.
 - (i) In Section 23, Township 51 South, Range 41 East. The North one half ($N\frac{1}{2}$) of Block 2, Blocks 3, 4 & 5 of Pembroke Pines Number One (1) as recorded in Plat Book 34 at Page 48 of the public records of Broward County, Florida; and the South one half ($S\frac{1}{2}$) of Block 6 of Pembroke Pines Number Two (2) as recorded in Plat Book 35 at Page 46 of the public records of Broward County, Florida; and that part of the South 1450 feet of the Northeast one quarter ($NE\frac{1}{4}$) lying West of the West right of way line of the Sunshine State Parkway.
3. Minimum floor area 1000square feet.
- (a) In Section 18, Township 50 South, Range 42 East. The subdivision of Riverland Village as recorded in Plat Book 35 at Page 40 of the public records of Broward County, Florida.
 - (b) Replat of Lot 6 of Block 9 of Riverland Village section One (1) as recorded in Plat Book 44 at Page 16 of the Public Records of Broward County, Florida.
 - (c) Lots 2, 14, 15 & 16 of Block 5, Lots 8, 9, & 10 of Block 4 of Riverland Village Section One (1) as recorded in Plat Book 27 at Page 44 of the public records of Broward County, Florida.
 - (d) In Section 17, Township 50 South, Range 42 East. A strip 200 feet in depth parallel to and abutting the West right of way line of Southwest 27th Avenue, lying in the South one half ($S\frac{1}{2}$) of the North one half ($N\frac{1}{2}$) a strip 200 feet in depth parallel to and abutting the East right of way line of Southwest 27th Avenue, lying in the South one half ($S\frac{1}{2}$) of the North one half ($N\frac{1}{2}$)

and that part of the Northwest quarter (NW $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$), lying West of the West right of way line of Southwest 27th Avenue (Riverland Road) all lying in Section 17, Township 50 South, Range 42 East.

- (e) In Section 20, Township 50 South, Range 42 East, Riverland Maners, a subdivision in Section 20, Township 50 South, Range 42 East, according to the plat thereof recorded in Plat book 27, page 49 of the public records of Broward County, Florida.
- (f) In Section 7, Township 50 South, Range 42 East, the subdivision of Melrose Park Section 3 as recorded in Plat book 29, page 2 of the public records of Broward County, Florida.
- (g) In Section 7, Township 50 South, Range 42 East, the subdivision of Melrose Park Section 2 as recorded in Plat book 29, page 2 of the public records of Broward County, Florida.
- (h) In Section 15, Township 41 South, Range 41 East, the subdivision of Boulevard Heights Section 1 as recorded in Plat book 41, page 16 and the subdivision of Boulevard Heights Section 2 as recorded in Plat book 44, page 42 of the public records of Broward County, Florida.
- *(i) In Section 15, Township 51 South, Range 41 East, the East 140 feet of the Northwest One-quarter (NW $\frac{1}{4}$) less all road rights of way.

4. Minimum Floor Area 850 square feet.

- (a) In Section 18, Township 50 South, Range 42 East. The South 135 feet of the East 320 feet of the West 860 feet of the Southwest quarter (SW $\frac{1}{4}$) of Section 18, Township 50 South, Range 42 East; Lots 35 through 41 of Block X of the subdivision of Fairfax Brelliar Addition Section 3 as recorded in Plat book 37, page 28; Lots 23 through 36 of Block D-D of the subdivision of Fairfax Brelliar Addition Section 5 as recorded in Plat book 40, page 27; Lots 22 of Block D-D of the subdivision of Fairfax Brelliar Section 4 as recorded in Plat book 39, page 18, all subdivisions are as of the public records of Broward County, Florida.

5. Minimum Floor Area 900 square feet,

- (a) In Section 23, Township 51 South, Range 41 East. The North one half (N $\frac{1}{2}$) of Block 6, all of Blocks 7, 8, 9 & 10 of the subdivision of Pembroke Pines #2 as recorded in Plat book 35, page 46; the North one half (N $\frac{1}{2}$) of Block 16, and all of Blocks 17, 18, 19 and 20 of the subdivision of Pembroke Pines #3 as recorded in Plat book 39, page 27; all subdivisions are as of the public records of Broward County, Florida.

*Effective 2/12/60

- *(b) In Section 14, Township 51 South, Range 41 East. The West One-half ($W\frac{1}{2}$) of the Southwest One-Quarter ($SW\frac{1}{4}$), less the South 140 feet thereof, and less the following described parcels: The West one-half ($W\frac{1}{2}$) of the Northwest one-quarter ($NW\frac{1}{4}$) of the Northwest one-quarter ($NW\frac{1}{4}$) of the South west one-quarter ($SW\frac{1}{4}$) and the North 460 feet of the East 982 feet of the West one-half ($W\frac{1}{2}$) of the Southwest one-quarter ($SW\frac{1}{4}$), and less read rights of way.
- ***(c) In Section 15, Township 51 South, Range 41 East. The Northwest one-quarter ($NW\frac{1}{4}$) less all read and canal rights of way and less the East 140 feet thereof, and less the North 640 feet of the West 700 feet thereof, and less the South 1774 feet, more or less, of the West 1475 feet, more or less, thereof.
- ****(d) In Section 15, Township 51 South, Range 41 East. The South one-half ($S\frac{1}{2}$) of the Southeast one-quarter ($SE\frac{1}{4}$) of the North east one-quarter ($NE\frac{1}{4}$), less the West 380 feet of the South 260 feet thereof; and the South one-half ($s\frac{1}{2}$) of the Southwest one-quarter ($SW\frac{1}{4}$) of the Northeast one-quarter ($NE\frac{1}{4}$), less the East 380 feet of the South 260 feet thereof.

*Effective 12/18/59

**Effective 2/12/60

***Effective 4/22/60

* ARTICLE VII. MINIMUM PLOT SIZE DISTRICTS

SECTION 7.1 MINIMUM PLOT SIZE DISTRICTS CREATED

Certain minimum plot size districts are hereby created, within which minimum plot sizes shall be provided as hereinafter specified in this Article, notwithstanding any other provision of this Resolution. All other parts of the unincorporated portions of Broward County shall constitute and be defined as a minimum plot size district within which the provisions of other articles of this Resolution as to minimum plot size shall apply and govern. The specific minimum plot area districts and the regulations pertaining thereto are hereinafter delimited and defined.

SECTION 7.2 MINIMUM PLOT SIZE DISTRICTS

1. Minimum Plot Size 80 feet width, 11,500 square feet Plot Area.
 - (a) Sections 17 & 20, Township 50 South, Range 42 East. The subdivision of Riverland Manors as recorded in Plat Book 27 at Page 29 of the public records of Broward County, Florida, lying in Section 17, Township 50 South, Range 42 East.
2. Minimum Plot Size, 14,000 square feet.
 - (a) Section 17, Township 50 South, Range 42 East. A strip 200 feet in depth parallel to and abutting the West right of way line of Southwest 27th Avenue, lying in the South one half ($S\frac{1}{2}$) of the North one half ($N\frac{1}{2}$), a strip 200 feet in depth parallel to and abutting the East right of way line of Southwest 27th Avenue lying in the South one half ($S\frac{1}{2}$) of the North one half ($N\frac{1}{2}$), and that part of the Northwest quarter ($NW\frac{1}{4}$) of the Southeast quarter ($SE\frac{1}{4}$) lying West of the West right of way line of Southwest 27th Avenue (Riverland Road) all lying in Section 17, Township 50 South, Range 42 East.
3. Minimum Plot Size Width 75 feet, 14,000 square feet Plot Area.
 - (a) Section 17, Township 50 South, Range 42 East. The North one half ($N\frac{1}{2}$) of Lot 10 of Block 10 of the subdivision of Brickell as recorded in Plat Book 2 at page 58 of the public records of Dade County, Florida.

* Amended 11/14/58

4. Minimum Plot Size width 75 feet, 18,000 square feet Plot Area.

- (a) Section 17, Township 50 South, Range 42 East. Lots 7, 8, 9 & the South one half ($S\frac{1}{2}$) of Lot 10 of Block 10, and that part of Block 13 lying South of Riverland Road of Brickell subdivision as recorded in Plat Book 2 at Page 58 of the public records of Dade County, Florida.
- (b) Section 17, Township 50 South, Range 42 East. The subdivision of Palm Grove Acres as recorded in Plat Book 30 at Page 38 of the public records of Broward County, Florida.
- (c) Section 17, Township 50 South, Range 42 East. The subdivision of River Lanes as recorded in Plat Book 22 at Page 24 of the public records of Broward County, Florida.
- (d) Section 17, Township 50 South, Range 42 East. Lots 2, 5, 6, 7 & 8 of Block 2 of the subdivision of Riverland as recorded in Plat Book 19 at Page 12 of the public records of Broward County, Florida.
- (e) Section 17, Township 50 South, Range 42 East. That part of the South one half ($S\frac{1}{2}$) of the South one half ($S\frac{1}{2}$) of Section 17, Township 50 South, Range 42 East, lying North and West of Riverland Road less the West 680 feet.

5. Minimum Plot Size width 90 feet, 7500 square feet Plot Area.

- (a) Section 23, Township 51 South, Range 41 East. That part of Block 1 and the South one half ($S\frac{1}{2}$) of Block 2 lying West of the West right of way line of Sunshine State Parkway of the subdivision of Pembroke Pines #1 as recorded in Plat Book 34 at Page 48; and Blocks 11, 12, 13, 14, 15 and the South one half ($S\frac{1}{2}$) of Block 16 of the subdivision of Pembroke Pines #3 as recorded in Plat Book 39 at Page 27, all subdivisions as of the public records of Broward County, Florida, and that part of the North 1200 feet of the Northeast quarter ($NE\frac{1}{4}$) lying West of the West right of way of the Sunshine State Parkway.

6. Minimum Plot Size width 120 feet, 10,000 square feet Plot Area.

- (a) Section 23, Township 51 South, Range 41 East. The North one half ($N\frac{1}{2}$) of Block 2 and all of Blocks 3, 4 & 5 of the subdivision of Pembroke Pines #1 as recorded in Plat Book 34 at Page 48 of the public records of Broward County, Florida, and the South one-half ($S\frac{1}{2}$) of Block 6 of Pembroke Pines #2 as recorded in Plat Book 36 at Page 46 of the public records of

Broward County, Florida; and that part of the South 1450 feet of the Northeast quarter (NE $\frac{1}{4}$) lying West of the West right of way line of the Sunshine State Parkway.

7. Minimum Plot Size width 70 feet.
 - (a) In Section 7, Township 50 South, Range 42 East. All except the North 125 feet of the subdivision of Melrose Park Section 2 as recorded in Plat Book 29 at Page 2 of the public records of Broward County, Florida.
8. Minimum Plot size 18,000 square feet.
 - (a) In Section 20, Township 50 South, Range 42 East. Government Lot No. 2 and the East 522.5 feet of Government Lot No. 3.

ARTICLE VIII. NON-CONFORMING USES AND STRUCTURES

SECTION 8.1 EXISTING USES

Any lawful use of land or structure existing at the effective date of this Resolution, and which by its terms has become a non-conforming use, is hereby declared not to be in violation at this Resolution's effective date. Such a non-conforming use shall be subject to all of the provisions of this Article pertaining to its continuance, change and discontinuance.

SECTION 8.2 NON-CONFORMING USE - EXTENSION

The non-conforming use of a building may be extended throughout any part of a building clearly designed for such use but not so used at the effective date of this Resolution. Any non-conforming use which occupied a portion of a building not originally designed or intended for such use shall not be extended to any other part of the building. No non-conforming use shall be extended to occupy any land outside the building nor any additional building on the same plot, not used for such non-conforming use at the effective date of this Resolution. The non-conforming use of land shall not be extended to any additional land not so used at the effective date of this Resolution, except as provided under Article XXXIII, Excavation Regulations.

SECTION 8.3 NON-CONFORMING USE - REPAIR, ALTERATION, ENLARGEMENT

No structure utilized for a non-conforming use shall be enlarged, extended, reconstructed or structurally altered, unless the use is changed to one which complies with the provisions of this Resolution. Provided, that repairs, maintenance and improvement may be carried out in any one year in an amount not to exceed 25% of the assessed value of the structure for that year, and provided that such work does not increase the cubical content of the building nor the floor area devoted to the non-conforming use, nor increase the number of dwelling units. Nothing in this Article shall prevent compliance with applicable laws or resolutions relative to the safety and sanitation of a building occupied by a non-conforming use.

SECTION 8.4 RECONSTRUCTION AFTER CATASTROPHE

If any non-conforming structure, or building in which there is a non-conforming use, 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 75 per cent of the replacement cost of the building or structure, it shall not be again used or reconstructed except in full conformity with the regulations of the district in which it is located.

SECTION 8.5 CHANGE OF NON-CONFORMING USE

1. In any Residential District, any change of a non-conforming use in conforming building shall be to a conforming use.
2. In any Residential District a non-conforming use in a non-conforming building shall be changed only to a use permitted in the particular Residential District involved, except as provided in Paragraph 3 below.
3. There may be change of tenancy, ownership or management of a non-conforming use provided there is no change in the nature or character of such non-conforming use except as may be permitted by this Resolution.
4. In a non-residential district, a non-conforming use in a non-conforming structure may be replaced by a new or different use permissible in the same zoning district as the original non-conforming use or in a more restricted zoning district, if the Board of Adjustment after public hearing finds that the new or different use will be less detrimental to the surrounding neighborhood than the old use, and approves the new or different use as being in accordance with the spirit and purpose of this Resolution.
5. Any change of a non-conforming use of land, except as incidental to a change of a non-conforming use of a non-conforming structure permitted and approved under Paragraph 4 above, shall be to a conforming use.

SECTION 8.6 DISCONTINUANCE OR ABANDONMENT OF A NON-CONFORMING USE

1. If for any reason a non-conforming use of land ceases or is discontinued for a period of more than 60 days, the land shall not thereafter be used for a non-conforming use, except for agricultural uses or except as provided under Article XXXIII, Excavation Regulations.
2. If for any reason the non-conforming use of a building ceases or is discontinued for a period of one year or more, the building shall not thereafter be used for a non-conforming use.
3. Any part of a building, structure or land occupied by a non-conforming use, which use is abandoned, shall not again be occupied or used for a non-conforming use.
4. Any part of a building, structure or land occupied by a non-conforming use which is changed to or occupied by a conforming use shall not thereafter be used or occupied by a non-conforming use.

SECTION 8.7 CONTINUANCE OF NON-CONFORMING USES AND STRUCTURES

Any legal non-conforming use or structure, for which a Zoning Certificate has been issued pursuant to the provisions of this Resolution, may be continued except as specified in Section 8.8 below.

SECTION 8.8 ELIMINATION OF NON-CONFORMING BUILDINGS, STRUCTURE AND USES.

1. NON-CONFORMING USE OF LAND

- a. The non-conforming use of land shall be discontinued and cease within three years from the date such use becomes non-conforming in each of the following cases, except that this requirement shall not apply to agricultural uses:
 1. Where no buildings are employed on the premises in connection with such use.
 2. Where the only buildings employed are incidental or accessory to such use or have an appraised value of less than \$2,000.
 3. Where such use is maintained in connection with a building conforming as to use, provided that this requirement of elimination shall not apply to off-street parking accessory to a building conforming as to use.
- b. The non-conforming use of land which is accessory or incidental to the non-conforming use of a building or structure shall be discontinued on the same date the non-conforming use of the building or structure is discontinued.
- c. A non-conforming use of land which has in connection therewith incidental or accessory buildings or structures having a value in excess of \$2,000, shall be deemed to be a non-conforming structure and shall be subject to the provisions of Paragraph 2 above.

2. NON-CONFORMING SIGNS

Any non-conforming advertising sign in a Residential District shall be removed or made to conform within 3 years of the effective date of this Resolution or within 3 years of the date upon which the said sign becomes non-conforming.

SECTION 8.9 UNLAWFUL USE NOT AUTHORIZED

Nothing in this Resolution shall be interpreted as authorization for, or approval of the continuation of the use of a structure or premises in violation of any Resolution in effect at the effective date of this Resolution.

SECTION 8.10 DISTRICT OR REGULATION CHANGE

The foregoing provisions of this article shall also apply to buildings, structures, land, premises or uses which hereafter become non-conforming due to a change or a reclassification of district or become non-conforming due to a change in district regulations. Where a period of time is specified in this Article for the removal or discontinuance of non-conforming building, structures or uses, said period shall be computed from the effective date of such reclassification or change of regulations.

SECTION 8.11 NON-CONFORMITY OTHER THAN USE

The foregoing provisions of this Article are intended to apply only to non-conforming uses, and are not intended to apply to buildings and structures, and their plots, existing at the effective date of this Resolution which do not meet the regulations of this Resolution for height, yards, plot size, plot area, coverage, separation or other similar dimensional requirements or limitations. Any additions, extensions or alterations to such existing buildings or structures shall comply with all applicable provisions of this Resolution.

SECTION 8.12 ILLEGAL USE

The casual, temporary or illegal use of land or a building shall not be sufficient to establish the existence of a non-conforming use or to create any rights in the continuance of such a use.

SECTION 8.13 ZONING CERTIFICATE FOR NON-CONFORMING USE

After the effective date of this Resolution or any amendment thereto, the owner and operator of any use, which by the terms of this Resolution or any amendment thereto, is or becomes a non-conforming use, shall be notified by the Enforcing Official of the provisions of this Article which may be in effect at the time of such notification.

Within 60 days of the receipt of said notification, the owner or operator shall apply to the Enforcing Official for a Zoning Certificate for the non-conforming use, which certificate, after verification of the facts of the non-conforming use, shall be duly and promptly issued to the applicant. The application for such certificate shall indicate the location, nature and extent of the non-conforming use and such other details as may be pertinent thereto. If the owner or operator of a non-conforming use fails to properly apply for a Zoning Certificate within 60 days after receipt of the aforesaid notice, the non-conforming use ceases to be a permissible non-conforming use and is hereby declared to be in violation of the Zoning Resolution.

If the Enforcing Official shall find upon reviewing the application for a Zoning Certificate that the existing use is illegal or

in violation of other laws or resolutions, or if he finds that a building for which a certificate is requested has been constructed for the existing use or any other use without full compliance with the building code or zoning resolution in effect at the time of construction or alteration, he shall not issue the Zoning Certificate but shall declare such use to be in violation of this Resolution and take appropriate action.

ARTICLE IX. OFFSTREET PARKING AND LOADING

SECTION 9.1 OFFSTREET PARKING REQUIRED

1. Every building, use or structure, instituted or erected after the effective date of this Resolution shall be provided with offstreet parking facilities in accordance with the provisions of this Article for the use of occupants, employees, visitors or patrons.
2. Such offstreet parking facilities shall be maintained and continued as an accessory use as long as the main use is continued.
3. Where a building existed at the effective date of this Resolution such building may be modernized, altered or repaired, provided there is no increase in floor area or capacity and there is no change of occupancy, without providing additional offstreet parking facilities.
4. Where a building or use, which existed at the effective date of this Resolution, is enlarged in floor area, volume, capacity, or space occupied, offstreet parking facilities as specified herein shall be provided for the additional floor area, volume, capacity or space so created or occupied.
5. Where a building or use which existed at the effective date of this Resolution is changed in use or occupancy, additional offstreet parking facilities shall be provided to the extent that the offstreet parking required by this Resolution for the new use or occupancy exceeds the offstreet parking which would have been required for the previous use or occupancy had the regulations of this Article been applicable thereto. For the purposes of this Section, a change of use or occupancy shall mean a change from one category of offstreet parking requirements to another such category under Section 9.3.
6. It shall be unlawful for an owner or operator of any building, structure or use affected by this Article to discontinue, change or dispense with, or to cause the discontinuance or reduction of the required parking facilities apart from the discontinuance, sale, or transfer of such structure or use, without establishing alternative vehicle parking facilities which meet the requirements of this Article. It shall be unlawful for any person, firm, or corporation to utilize such building, structure or use without providing the offstreet parking facilities to meet the requirements of and be in compliance with this Article.

SECTION 9.2 LOCATION, CHARACTER AND SIZE

1. The offstreet parking facilities required by this Article shall be located on the same plot or parcel of land they are intended to serve, provided, however, when practical difficulties, as determined

by the County Commission, prevent the establishment of such facilities upon the same plot, the offstreet parking facilities shall be provided on land within 700 feet of the premises they are to serve, and the owner of said parking area shall enter into written agreement with the County whereby the land providing the parking area shall never be sold or disposed of except in conjunction with the sale of the building the parking area serves so long as these parking facilities are required, and said agreement shall be recorded at the expense of the owner and shall run with the land to bind the heirs, successors and assigns of said owner. Said written agreement may be voided by the County Commission if other provisions are made for offstreet parking facilities pursuant to this Article.

2. East parking space required and provided pursuant to the provisions of this Article shall be not less than 9 feet in width and 18 feet in length. Each parking space shall be directly accessible from a street or alley, or from an adequate aisle or driveway leading to a street or alley. Access aisles and driveways shall be of sufficient size to permit convenient maneuvering of cars, and each space shall be accessible without driving over or through any other parking space.
3. The required offstreet parking facilities shall be identified as to purpose and as to location when not clearly evident from a street or alley. Offstreet parking facilities including access aisles and driveways shall be surfaced with a hard, dustless material and maintained in a smooth, well-graded condition, provided that driveways, access aisles and parking spaces for public and private schools offering academic courses may be surfaced with grass or lawn.
4. All offstreet parking facilities required by this Article shall be drained so as not to cause any nuisance on adjacent or public property, and any lighting thereon shall be so arranged and designed as to prevent any glare or excessive light on adjacent property. Such facilities shall be arranged for convenient access and safety of pedestrians and vehicles.
5. A plan shall be submitted with every application for a building permit for any use or structure required to provide offstreet parking under this Article, which plan shall clearly and accurately designate the required parking spaces, access aisles and driveways, and relation to the uses or structures these offstreet parking facilities are intended to serve.

SECTION 9.3 AMOUNT OF OFFSTREET PARKING

The offstreet parking required by this Article shall be provided and maintained on the basis of the following minimum requirements:

1. Dwelling, single-family and two family:
1 parking space for each dwelling unit.

2. Dwelling, multiple-family:
1 parking space for each dwelling unit, or 3 parking spaces for each 4 rooms provided with a bath, toilet or shower facilities, whichever may be greater.
3. Rooming houses, lodging houses, boarding houses:
1 parking space for each two rental sleeping rooms, plus 1 parking space for the owner or operator.
4. Dormitories, fraternities:
1 parking space for each 2 beds, plus 1 parking space for the manager or operator, plus 1 parking space for each 2 employees.
5. Hotels, including clubs:
Three parking spaces for each 4 sleeping rooms, or 3 parking spaces for each 4 bathrooms, whichever may be greater. If, in addition to sleeping rooms, there are other uses operated in conjunction with and/or as part of the hotel, additional offstreet parking spaces shall be provided for such other uses as would be required by this Section if such uses were separate from the hotel, to the extent of 35% of the offstreet parking specified in this Article for retail stores, offices, service establishments, bars, restaurants, dining rooms, night clubs, cabarets, ballrooms, banquet hall, meeting rooms, auditoriums.
6. Motels, tourist's homes, guest cabins, villas, house courts:
1 parking space for each guest room, cabin or rental unit, plus 1 parking space for the owner or manager.
7. Trailer courts, camps or parks:
One parking space for each trailer.
8. Hospitals:
One parking space for each 4 beds for patients.
9. Sanitariums, asylums, orphanages, convalescent homes, homes for aged and infirm:
One parking space for each 5 beds for patients or inmates.
10. Theatres and other places of assembly having fixed seats:
One parking space for each 10 seats.
11. Places of public assembly, including assembly halls (except as included in Paragraphs 9 and 11), exhibition halls, convention halls, dance halls, skating rinks, sport arenas, community centers, libraries and museums:

One parking space for each 10 seats, or parking space for each 200 square feet of gross floor area occupied by guests, customers, patrons, members or other occupants, whichever may be greater.

12. Private clubs, lodges, fraternal buildings, union halls:
One parking space for each 120 square feet of assembly hall and auditorium, or 1 parking space for each 600 square feet of gross floor area occupied by guests, customers, patrons, members or other occupants, whichever may be greater.
13. Churches:
One parking space for each 60 square feet of auditorium or chapel area, not including Sunday School class rooms.
14. Stadiums, race tracks, fairgrounds, circus grounds:
One parking space for each 5 seats.
15. Bowling alleys:
Two parking spaces for each alley.
16. Mortuaries:
One parking space for each 10 seats in public rooms.
17. Medical, dental, chiropractic, etc., clinics (separate building):
Four parking spaces for each doctor.
18. Business, professional and governmental offices:
1 parking space for each 600 square feet of floor area.
19. Restaurants, bars, beer gardens, night clubs:
1 parking space for each 50 square feet of floor area in rooms for customer service.
20. Elementary schools, public, private or parochial:
1 parking space for each classroom, plus one-half of the additional parking spaces for rooms used for public assembly as otherwise required by this Section.
21. Junior and Senior high schools and colleges, public, private or parochial:
1 parking space for each classroom plus 1 parking space for each 10 students, or one-half of the additional parking spaces for rooms used for public assembly as otherwise required by this Section, whichever may be greater.
22. Retail stores, personal service shops, household repair or equipment shops, interior decoration shops:
1 parking space for each 400 square feet of floor area.

23. Manufacturing and industrial uses, research and testing laboratories, bottling establishments, printing and engraving shops, warehouses, motor vehicle salesrooms, wholesale stores, laundries and storage buildings;
1 parking space for each 600 square feet of floor area of the building.
24. Terminal facilities, including airports, railroad passengers and freight stations, bus depots, truck terminals; also charter, sightseeing or fishing boat docks, commercial bathing beaches, commercial swimming pools and the like:
1 parking space for each two employees, plus offstreet parking space in an amount determined by the County Commission to be adequate to serve employees, and the public as customers, patrons and visitors.
25. Uses not specifically mentioned:
The requirements for offstreet parking for any uses not specifically mentioned in this Section shall be same as provided in this Section for the use most similar to the one sought, it being the intent to require all uses except agricultural to provide offstreet parking.
26. Fractional measurements:
When units or measurements determining number of required offstreet parking spaces result in requirement of a fractional space, any such fraction equal to or greater than one-half shall require a full off street parking space.
27. Mixed Uses:
In the case of mixed uses, the total requirements for offstreet parking shall be the sum of the requirements of the various uses computed separately, and offstreet parking space for one use shall not be considered as providing the required offstreet parking for any other use.
28. Measurement:
For the purposes of this Article, floor area shall mean the gross floor area inside of the exterior walls, in hospitals, bassinets shall not count as beds. In stadiums, sport arenas, churches, and other places of assembly in which occupants utilize benches, pews or other similar seating facilities, each 20 lineal inches of such seating facilities shall be counted as one seat for the purpose of computing offstreet parking requirements.

SECTION 9.4 COMBINED OFFSTREET PARKING

Nothing in this Article shall be construed to prevent collective provision for, or joint use of, offstreet parking facilities for two or more buildings or uses by two or more owners or operations, provided that the total of such parking spaces when combined or used together shall not be less than the sum of the requirements of the several individual uses computed separately in accordance with this Article.

SECTION 9.5 NON-CONFORMING USES

In the case of a building occupied by a use which is not permitted as a new use in the district in which such building is located, where major repairs, substantial alterations or extensions of use shall be permitted unless and until the offstreet parking requirements of this Article, for a new use of the type involved, are applied to such existing use and are fully provided for.

SECTION 9.6 USE OF REQUIRED OFFSTREET PARKING BY ANOTHER BUILDING

No part of an offstreet parking area required for any building or use by this Article shall be included as a part of an offstreet parking area similarly required for another building or use, unless the type of use indicates that the periods of usage will not overlap or be concurrent with each other, as determined by the County Commission.

SECTION 9.7 PARKING OF COMMERCIAL VEHICLES

Offstreet parking facilities supplied by the owner or operator to meet the requirements of this Article shall not be used by commercial vehicles owned, operated or used in the business of such owner or operator during regular hours of business.

SECTION 9.8 OFF STREET LOADING

1. On the same plot with every structure or use hereafter erected or created, there shall be provided and maintained adequate space for loading and unloading of materials, goods, or things and for delivery and shipping, so that vehicles for these services may use this space without encroaching on or interfering with the public use of street and alleys by pedestrians and vehicles.
2. Where any structure is enlarged or any use is extended so that the size of the resulting occupancy comes within the scope of this Section, the full amount of offstreet loading space shall be supplied and maintained for the structure or use in its enlarged or extended size. Where the use of a structure or land or any part thereof is changed to a use requiring offstreet loading space under this Section, the full amount of offstreet loading space shall be supplied and maintained to comply with this Section.

3. For the purposes of this Section on offstreet loading space shall be an area at the grade level at least 10 feet wide by 25 feet long with 14 foot vertical clearance. Each offstreet loading space shall be directly accessible from a street or alley without crossing or entering any other required offstreet loading space, and arranged for convenient and safe ingress and egress by motor truck and/or trailer combination. Such loading space shall also be accessible from the interior of any building it is intended to serve.

4. Offstreet loading spaces shall be provided and maintained in accordance with the following schedule:

a. For each retail store, storage warehouse, wholesale establishment, industrial plant, factory, freight terminal, market, restaurant, mortuary, laundry, dry cleaning establishment or similar use which has an aggregate gross floor area of:

over 10,000 sq. ft. but not over	25,000 sq. ft.....	1 space
over 25,000 sq. ft. " " "	60,000 sq. ft.....	2 spaces
over 60,000 sq. ft. " " "	120,000 sq. ft.....	3 spaces
over 120,000 sq. ft. " " "	200,000 sq. ft.....	4 spaces
over 200,000 sq. ft. " " "	290,000 sq. ft.....	5 spaces
plus for each additional	90,000 sq. ft	
over 290,000 sq. ft. or major fraction thereof.....		1 space

b. For each multiple dwelling or apartment hotel having at least 50 dwelling units but not over 100 dwelling units.....1 space

For each multiple dwelling having over 100 dwelling units; 1 space plus 1 space for each additional 100 dwelling units or major fraction thereof.

c. For each auditorium, convention hall, exhibition hall, museum, hotel, office building, sports area, stadium, hospital, sanitarium, welfare institution or similar use which has an aggregate gross floor area of:

over 20,000 sq. ft. but not over 40,000 sq. ft.....	1 space
plus for each additional 60,000 sq. ft.....	
over 40,000 sq. ft. or major fraction thereof.....	1 space

d. For any use not specifically mentioned in this Section, the requirements for offstreet parking for a use which is so mentioned and to which the unmentioned use is similar shall apply.

5. Offstreet loading facilities supplied to meet the needs of one use shall not be considered as meeting of street loading needs of any other use.

6. No area or facilities supplied to meet the required offstreet parking facilities for a use shall be utilized for or be deemed to meet the requirements of this Article for offstreet loading facilities.
7. Nothing in this Section shall prevent the collective, joint or combined provision of offstreet loading facilities for two or more buildings or uses, provided that such offstreet loading facilities are equal in size and capacity to the combined requirements of the several buildings or uses and are so located and arranged as to be usable thereby.
8. Plans for buildings or uses requiring offstreet loading facilities under the provisions of this Section shall clearly indicate the location, dimensions, clearances and access of all such required offstreet loading facilities.

ARTICLE X ZONING DISTRICTS

SECTION 10.1 CLASSES AND SYMBOLS

For the purposes of this Resolution in regulating use of land, water and buildings, and heights, bulk, population density and open space, Broward County is hereby divided into the following districts:

AGRICULTURAL DISTRICTS

A-1 Agricultural

RESIDENTIAL DISTRICTS

R-1A One-family Dwelling
R-1B One-family Dwelling
R-1C One-family Dwelling
*R-1T Mobile Home Dwelling
R-2 Two-family Dwelling
R-3 Low Density Multiple Dwelling
R-4 High Density Multiple Dwelling
R-4A Planned High Density Multiple Dwelling
R-5 Motel-Apartment
R-6 Hotel-Apartment
T-1 Trailer Park

RECREATIONAL DISTRICTS

**S-1 Recreational

BUSINESS DISTRICTS

B-1 Local Business
B-2 Community Business
B-2A Planned Business Center
B-3 General Business
C-1 Commercial

INDUSTRIAL DISTRICTS

M-1 Light Industrial
M-2 Medium Industrial
M-3 General Industrial

SECTION 10.2 ZONING DISTRICT MAPS

The areas assigned to these districts, the designations of same, and the boundaries of said districts shown upon the maps hereto attached and made a part of this Resolution, are hereby established, said maps being designated as the "Zoning District Maps" and said maps and the proper notations, references, and other information shown thereon, shall be as much a part of this

*Amended 3/13/59
**Amended 6/12/59

resolution as if the matters and information set forth by said map were fully described herein. Said maps are identified by the signatures of the Chairman and Clerk of the Board of County Commissioners together with the number of this Resolution and its effective date.

East district shall be subject to the regulations stipulated in this Resolution.

SECTION 10.3 APPLICATION OF ZONING REGULATIONS

When any public uses ceases, or when title of unzoned public land passes into private ownership, public land or buildings shall not be used for private purposes until they shall have been zoned by the Board of County Commissioners.

SECTION 10.4 WATER AREAS

1. The water surface and the land under the water surface, of all canals, rivers, waterways, ponds, lakes and other water areas in Broward County not otherwise zoned are hereby placed in the same Zoning District as the land, which it abuts as shown on the Zoning District Maps. Where the zoning districts shown on the Zoning District Maps are different on opposite side of the water area, then the kind of zoning district on each side shall extend to the center line or midpoint of the water area.
2. For convenience of mapping and clarity, the zoning of water areas is not shown on the Zoning District Maps, but is determined by the provisions of this Section.

SECTION 10.5 DISTRICTING OF VACATED WAYS

Where a street or alley shown on a Zoning District Map is hereafter officially vacated by replatting or otherwise, the land formerly in such street or alley right-of-way shall be included within the zoning district of adjoining property on either side of said vacated street or alley. In the event such street or alley was a district boundary between two or more different zoning districts, the new district boundary shall be the former center line of such vacated street or alley.

SECTION 10.6 BOUNDARIES OF DISTRICTS

Unless otherwise shown, the district boundaries are street lines, alley lines, or the subdividing or boundary lines of recorded plats, or the extensions thereof, and where the districts designated on maps accompanying and made a part of this Resolution are approximately bounded by street lines, alley lines or the subdividing or boundary lines or recorded plats, such lines or the extensions thereof shall be considered to be district boundaries.

Where due to the scale or illegibility of the District Map or due to the absence of a street, alley, or recorded subdividing of

plat lines, there is any uncertainty, contradiction or conflict as to intended location of any district boundary, the County Commission shall have the power and duty of interpreting the intent of said District Maps so as to determine and designate the proper location for such district boundary in accordance with the spirit and purpose of the Zoning Resolution.

SECTION 10.7 DISTRICT GROUP CLASSIFICATION

For the purposes of this Resolution, the various Zoning Districts are grouped, and may be referred to, as follows:

- See 10.1*
1. The A-1, R-1A, R-1B, R-1C, R-1T, R-2, R-3, R-4, R-4A, R-5, R-6 and T-1 Districts are considered to be and are designated as Residential Districts.
 2. The B-1, B-2, B-2A, B-3 and C-1 Districts are considered to be and are designated as Business Districts.
 3. The M-1, M-2 and M-3 Districts are considered to be and are designated as Industrial Districts.
- What is 5-1*

SECTION 10.8 RAILROAD RIGHTS OF WAY

Where not otherwise indicated on Zoning District Maps or specified in Zoning Resolutions, railroad rights of way are hereby placed in the same Zoning District as indicated or specified for abutting property, except that where the Zoning Districts are different on opposite sides of a railroad right of way, the railroad right of way is hereby placed in the more restricted district of the two zoning districts abutting the right of way.

ARTICLE XI AGRICULTURAL A-1 DISTRICT

The following regulations shall apply in all A-1 Districts:

SECTION 11.1 PURPOSE OF DISTRICT

The A-1, Agricultural District is intended to apply to those areas of Broward County, the present or prospective use of which is primarily agricultural, or the future proper development of which is uncertain, and for which a more restricted zoning would be premature and unreasonable. The regulations of this district are intended to permit a reasonable use of property while at the same time preventing the creation of conditions which would blight or prevent the proper future use of contiguous or nearby property.

SECTION 11.2 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

1. One family dwelling on a plot at least 35,000 square feet in area with 125 feet street frontage, except that a plot platted as a single lot or acquired, prior to effective date of this Resolution, may be utilized for a one-family dwelling if plot has at least 10,000 sq. ft. of area and 100 ft. street frontage.
2. Home occupation, and office of doctor, dentist, lawyer, architect or engineer of similar professional office utilizing not over 25% of the floor space of a one-family dwelling occupied by the operator of the home occupation or by the professional man.
3. Hospital, convalescent home, nursing home, not including communicable diseases, insanity, feeble-mindedness, epileptics, drug addicts, alcoholics, penal or correctional institutions.
4. Church, convent, monastery, parish house,
5. Library, museum and similar institutions, of a non-commercial nature.
6. Public owned or operated buildings and uses, including community buildings, public parks, playgrounds, beaches, but excluding dumps, sanitary fill or incinerators.
7. Golf course, country club, private club, outdoor recreation club, provided all buildings are located at least 50 feet from any street and at least 100 feet from any private plot line.

8. Grove, produce farm, truck garden, horticultural farming, botanical garden, floriculture, nursery, sod farm, crop raising, hydroponic garden, greenhouse, slat house, forestry, bee keeping, with use or keeping of animals only as incidental and accessory thereto.
9. Cattle or stock grazing, dairy farm, not including hog raising.
10. Raising of poultry.
11. Non-commercial boat pier or slip or boat house for docking of private water craft.
12. Railroad right-of-way and tracks, passenger and freight terminal, team tracks, but not including yards, shops or round houses.
13. Public utility transmission lines such as: underground cables or conduits, gas, water, oil or sewer, mains or pipes, telephone, telegraph, electric light and power lines.
14. Permanent or temporary structure to house farm labor personnel on a farm site with capacity of one family or two persons for each 5 acres in said farm site, if said farm labor personnel is employed on the same farm site on which the structure is located and said structures are located at least 300 feet from any other property under separate and different ownership.
15. Wayside stands for display or sale of farm products produced on the premises.
16. Accessory structures and uses.
17. The following uses subject to the approval of the County Commission on the specific location and site plan of such use after a report and recommendation from the Zoning Board, when the County Commission finds such use, its location and site plan to be consistent with the proper development of Broward County and to be in accordance with the spirit and purpose of this Resolution.
 - a. Cemetery, crematory, columbarium, mausoleum.
 - b. Dump, sanitary fill or incinerator.
 - c. Race track for animals or vehicles.
 - d. Airport, airpark or airfield.
 - e. Public utility and public service buildings.
 - f. Dude ranch, riding stable, livery stable, boarding stable.
 - g. Animal hospital, veterinary clinic, animal boarding place, dog kennel, fur farm.
 - h. Raising of hogs, sheep, goats, poultry slaughtering and dressing.
 - i. Boat yard, boat storage, service, repair or building, marine railway, marina, moorage.

- j. Recreational establishments of a commercial nature including drive-in theatre, miniature golf course, golf or baseball driving range, swimming pool.
- k. Outdoor or indoor, rifle, shotgun or pistol shooting range.
- l. Eleemosynary or philanthropic institution.
- m. Radio or television transmitting or receiving station, structure or tower over 100 feet in height above the ground.
- n. Tourist home, tourist cabin, trailer camp or motel.
- o. Sand, gravel, rock or stone pit or quarry or other operation involving the extraction or mining of natural material, removing of earth or top soil.
- p. Amusement pier, mechanical riding devices, carnivals, circuses, animal display, aquarium, menagerie, exhibit, museum.
- q. Offstreet parking of motor vehicles accessory to a use not located on the same premises, or which is located outside of the A-1 District.
- r. Hospital, home or institution for contagious, mental alcoholic, drug or epileptic cases.
- s. Temporary or permanent housing or barracks to house farm labor, when located within 300 feet of any property under separate and different ownership, when such farm labor is not employed on the same property upon which the housing is located, or when the housing has a greater capacity than one dwelling unit or two persons for each 5 acres of land contained in the property upon which the housing is located and the farm labor is used.
- *t. Crushing, screening and processing of materials mined or excavated on the premises, including concrete batching or mixing and asphalt mixing.
- **u. Sewage or water: mains, pumping stations, tanks, reservoirs and treatment plants.
- **v. Stadiums, amphitheatres, arenas or theatres.
- ***w. Research park, for investigation and experimentation in fields of inquiry such as medical, biological, chemical, agricultural and others of a similar nature, not including any manufacturing or sales on the premises and including accessory uses such as offices, libraries, laboratories, clinics, hospitals, exhibits, museums, barns, storage, shops and dwellings.

SECTION 11.3 USES PROHIBITED

The permissible uses enumerated in Section 11.2 above shall not be construed to include, either as a principal or accessory use any of the following which are listed for emphasis:

1. Manufacturing or industrial establishments.

*Effective 6/15/58
 ** " 3/13/59
 *** " 6/12/59

2. Wholesale warehouse or storage establishments.
3. Junk yards, house wrecking yard, automobile wrecking, used autoparts, display storage or sale.
4. Automobile, truck or trailer; display, storage, service, repair or sale.
- *5. Oil asphalt or petroleum products: drilling, removal, storage, processing or sale, except as provided under Section 11.2, Paragraph 17, subparagraph (t) above.
6. Building supplies or material: display, storage or sale.
7. Contractor, construction or equipment yard.
8. Display storage or sale of used or second-hand merchandise.

SECTION 11.4 HEIGHT

No building or structure shall be erected or altered to a height exceeding two stories or 60 feet, except that a greater height may be approved by the County Commission after report and recommendation from the Zoning Board if the County Commission finds such greater height to be reasonably necessary for the appropriate utilization of the property involved and that adequate protection will be given to contiguous and nearby property.

SECTION 11.5 PLOT SIZE

Plots for any permitted use shall have a minimum area of 35,000 square feet and a minimum street frontage of 125 feet, except as hereinafter provided. A plot, having a minimum area of 10,000 square feet and a minimum width of 100 feet, and platted as a single lot or acquired by the present owner prior to the effective date of this Resolution, may be utilized for a single family dwelling.

SECTION 11.6 PLOT COVERAGE

The combined area occupied by all main and accessory buildings and structures shall not exceed 20 per cent of the plot area for a plot one acre or more in area, and shall not exceed 25% of the plot area for a plot less than one acre in area.

SECTION 11.7 FRONT YARD

Every plot shall have a front yard not less than 25 feet in depth.

*Effective 6/15/58

SECTION 11.8 SIDE YARDS

1. Every plot shall have a side yard on each side, each of which shall be not less than 25 feet in width unless a greater width is required under Section 11.11 following, except that a side yard for a one-family dwelling shall not be required to exceed 10 feet unless a greater width is required under Paragraph 2 below.
2. Upon corner plots there shall be a front yard as hereinbefore specified and a side yard on the side street at least 25% of the plot width in width, provided that no such street side yard shall be required to exceed 25 feet in width.

SECTION 11.9 REAR YARD

Every plot shall have a rear yard not less than 25 feet in depth.

SECTION 11.10 YARD MODIFICATIONS

The yard requirements specified in Sections 11.7, 11.8 and 11.9 above shall be subject to the following:

1. Yard requirements shall not apply to portions of land or land used for permissible uses and which do not contain buildings.
2. Where a portion of a tract of land is utilized for a building or buildings as the principal use, the plot of land occupied by such buildings shall be provided with all required yards, the measurement of which shall be from such building or buildings.
3. This Section shall not supersede Section 11.11 following:

SECTION 11.11 LIMITATIONS OF USES

1. For the purposes of this Section livestock shall mean cattle, horses, sheep, goats and the like, except hogs or poultry.
 - a. Structures for livestock raising such as barns, feed lofts and stables shall not be located within 100 feet of any plot line.
 - b. Structures for raising of poultry such as: pens, coops, shelters, feeders, and the like, shall not be located within 100 feet of any plot, except that where such structures existing at the effective date of this resolution are located less than 100 feet from any plot line, additions to existing structures and new structures may be erected at the same distance, or at a greater distance from that plot line, as the existing structures. This exemption, for additions to existing structures and for

new structures, shall apply only to building permits issued prior to January 1, 1962, and shall not apply to any structure the construction of which is not begun prior to that date.

- c. Structures for raising of hogs, such as pens, sties, shelters, feeders, and the like shall not be located within 200 feet of any plot line.
 - d. Hogs shall not be placed, kept or permitted within 100 feet of any plot line, within 500 feet of a dwelling under different and separate ownership nor within 500 feet of any residentially-zoned property.
2. In approving uses pursuant to Section 11.2, Paragraph 17, the County Commission is authorized to modify the separation requirements of this Section in cases where the Commission finds such modification to be consistent with the reasonable protection of surrounding property and with the spirit and purpose of this Resolution.

SECTION 11.12 MINIMUM FLOOR AREA

The minimum floor area of a single-family dwelling shall be 600 square feet, except for temporary housing for migratory farm labor.

ARTICLE XII ONE FAMILY DWELLING -- R-1A to R-1T DISTRICTS

The following regulations shall apply in all R-1A, R-1B, R-1C and R-1T Districts:

SECTION 12.1 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, of land or water used, in whole or in part, for other than one of the following uses:

1. One family dwelling.
2. Recreation buildings and facilities, playgrounds, playfields, parks, beaches, owned and operated by Federal, State, County or Municipal Government.
3. Existing cemetery, crematory or mausoleum.
4. Existing railroad right-of-way, not including switching, freight, or storage tracks, yards, buildings or maintenance structures.
5. Publicly owned and operated library, art gallery or museum.
6. Uses accessory to any of the above uses when located on the same plot and not involving the conduct of any business, trade, occupation or profession.
7. The following uses, subject to the approval of the County Commission after a finding of their necessity or desirability for public convenience and/or welfare and of their conformity with the spirit and purpose of this Resolution.
 - a. Education, recreational and social centers not operated for profit and intended to serve the surrounding neighborhood.
 - b. Crematory, Cemetery or Mausoleum.
 - c. Open parking lots for the parking of self-propelled passenger vehicles, not including buses, accessory to any of the permitted non-residential uses, when located on a separate plot, not involving any business, trade, occupation or profession. Such use shall be subject to all the provisions of Section 12.9 below.
 - d. Open parking lots for the parking of self-propelled passenger vehicles of customers, clients, patrons, visitors, owners or employees of business uses permissible in B-1, B-2, B-2A or B-3 Districts, where such lot is contiguous to such a business-zoned area or is separated therefrom by an alley. Such use shall be subject to all the provisions of Section 12.10 below.

- e. Golf course, not including miniature golf course or practice driving tee, providing plot comprises at least 100 acres of land in one parcel and any accessory parking area, building or structure is located at least 100 feet from any other residentially-zoned property.
 - f. Transformer substation.
 - g. Sewage and water, pumping and treatment plants to serve the surrounding residential area.
- *8. Church, and church or parochial school incidental to church, subject to the approval of the County Commission on the land to be so used and the site plan of development thereof, when the County Commission, after public hearing, finds the proposed use and site plan to be consistent with the proper development of the surrounding area and in accordance with the spirit and purpose of the Zoning Resolution and further conforming to the following limitations and requirements:
- a. The site shall be at least 40,000 square feet in area and shall have at least 200 feet of street frontage.
 - b. The site shall be located on a street of sufficient width and of such alignment and connection with other streets as to be capable of handling the traffic generated by the church without undue congestion or other hazards.
 - c. The coverage of all roofed structures shall not exceed 25 per cent of the plot area.
 - d. The site plan of development shall provide adequate screening and separation from adjacent residential properties.

SECTION 12.2 SIZE OF PLOT

Every plot upon which a residential structure is hereafter erected shall not be less in size than the following:

R-1A Districts: Plot width of 100 feet and plot area of 10,000 square feet.

*Effective 11/20/59

R-1B Districts: Plot width of 75 feet and plot area of 7,500 square feet.

R-1C Districts: Plot width of 60 feet and plot area of 6,000 square feet.

Provided, however, that in areas subdivided prior to the effective date of this Resolution, a plot consisting of a lot of record may be utilized for a one-family dwelling.

Every plot upon which a permitted non-residential structure or use is erected or placed shall be not less than 100 feet in width and 10,000 square feet in area.

SECTION 12.3 PLOT COVERAGE

The combined area occupied by all principal and accessory buildings shall not exceed 40 per cent of the area of the plot.

SECTION 12.4 HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding two and a half stories or 35 feet provided, that permitted non-residential buildings may be erected or altered to a height not exceeding 4 stories or 50 feet if approved by the County Commission as being not injurious to surrounding property and in accordance with the spirit and purpose of this Resolution.

SECTION 12.5 FRONT YARD

1. RESIDENTIAL USES: Every plot used for a one-family dwelling shall have a front yard not less than 25 feet in depth, unless a greater depth is required under Article V, Yard Space Districts.
2. NON-RESIDENTIAL USES: Every plot utilized for a non-residential building, structure or use, except accessory buildings, structures or uses, shall have a front yard not less than 30 feet in depth, unless a greater depth is required under Article V, Yard Space Districts.

SECTION 12.6 SIDE YARDS

1. RESIDENTIAL USES: Every plot used for a one-family dwelling shall have a side yard on each side, each of which shall be

at least 10 feet wide in an R-1A and at least $7\frac{1}{2}$ feet wide in R-1B or R-1C District, except that where a plot is less than 60 feet in width, each side yard shall be at least 5 feet in width.

2. NON-RESIDENTIAL USES: Every plot utilized for a non-residential building, structure or use, except accessory buildings, structures or uses, shall have a side yard on each side, each of which shall be not less than 20 feet in width with an increase of one foot in width of each side yard for every two feet in height of the structure in excess of 20 feet.
3. CORNER PLOTS: Upon corner plots there shall be a front yard as hereinbefore specified, and in addition thereto a side yard at least 15 feet in width on the side of the plot abutting on the side street, unless a greater width is required under Article V, Yard Space Districts.

SECTION 12.7 REAR YARD

1. RESIDENTIAL USES: Every plot used for a one-family dwelling shall have a rear yard not less than 15 feet in depth.
2. NON-RESIDENTIAL USES: Every plot utilized for a non-residential building, structure or use, except accessory buildings, structures or uses, shall have a rear yard not less than 25 feet in depth.

SECTION 12.8 MINIMUM FLOOR AREA

A one-family dwelling shall have a minimum floor area of 1500 square feet in an R-1A District, 1000 square feet in an R-1B district and 600 square feet in an R-1C district.

SECTION 12.9 SEPARATE ACCESSORY PARKING LOTS

Open parking lots for the parking of self-propelled passenger vehicles, accessory to a permitted use, located on a plot separate from the plot occupied by a principal use permissible in a Residential District, and approved by the County Commission, shall be arranged, maintained and used in accordance with these requirements.

1. The plot shall provide a front yard not less than 25 feet in depth, nor less than the front yard of any existing residential structure on a plot immediately adjacent and on either side of the plot, unless a greater depth is required under Article V, Yard Space Districts.
2. A side yard shall be provided on each side of the plot, except on an alley side, not less than 10 feet in width.
3. An ornamental fence or wall 4 feet in height shall be placed between the parking area and the required yards and on the rear plot line, with only such openings as may be required for access.
4. The required front and side yards shall be planted and kept in lawn that is maintained so as to present a healthy, neat and orderly appearance. The required yards shall be kept free from refuse and debris.
5. No signs shall be permitted other than unlighted entrance and exit markers, not exceeding 2 square feet in area, located within the parking area.
6. The parking area shall be provided and maintained with a stable surface treated and graded so as to prevent dust and surface water accumulation.
7. If lighting is provided for parking area, all lights shall be subdued, shaded and focused away from all dwellings.
8. Access driveways shall be limited in number and location as the Board may approve as reasonably necessary.

SECTION 12.10 BUSINESS PARKING LOTS

Open parking lots located in Residential Districts, for the parking of automobiles incidental to a business-zoned area adjacent thereto and approved by the County Commission, shall be designed, maintained and used in accordance with these requirements.

1. LIMITATION OF USE

Parking area shall be used only for the parking of private passenger vehicles, in good running order, of customers, clients, patrons, visitors, employees in the business area. No charge shall be made for parking. No business of any kind, including repair, service washing, sale, display or storage, shall be conducted on or from the plot.

No structures other than those specifically permitted or required shall be erected on the premises.

No advertising signs shall be erected on the premises except that not more than one directional sign at each point of

ingress or egress may be erected which may also bear the name of the operator of the parking area and the enterprise it is intended to serve. Such signs shall not exceed 20 square feet in area not extend to a greater height than 6 feet above the ground, and shall be erected within the parking area.

2. INGRESS AND EGRESS

Ingress and egress for such parking areas shall be over business-zoned property or from streets or alleys separating the parking area from the business district. In no case shall residentially-zoned property be used for driveways for access to the parking area, except that where there is not an alley separating the parking area from the business-zoned property, not more than 20 feet of residentially-zoned property adjacent to business zoning may be used for access.

3. PROTECTIVE WALL

The parking area shall be provided with a continuous unpierced masonry wall 5 feet in height adjacent to all required yards. All such walls shall be smoothly finished and shall not be used for any sign.

4. SIDE YARDS

Where the parking plot is contiguous to side plot lines of residentially-zoned property, a side yard at least 10 feet in width shall be provided.

Where the parking lot is separated by a street from residentially-zoned property whereon the side plot lines abut the street, a side yard at least 5 feet in width shall be provided.

5. FRONT YARDS

Where the parking plot is located upon a street upon which residentially-zoned properties front and abut in the same block, a front yard shall be provided at least 25 feet in depth. Where one or both of the plots contiguous to and on each side of the parking plot are developed with residential structures having front yards greater than 25 feet in depth, the front yard on the parking plot shall be not less in depth, than the deeper of these existing front yards, unless a greater depth is required under Article V, Yard Space Districts.

6. LANDSCAPING

All yard spaces between the required wall and plot lines shall be landscaped with at least one hedgerow of hardy shrubs, not less than 5 feet in height, placed next to the walls and the remainder of the yard spaces shall be lawn. All such landscaping shall be maintained in a healthy, growing condition, neat and orderly in appearance, and yard spaces shall be kept free of refuse or debris.

7. SURFACING

The parking area shall be provided with a pavement having an asphaltic or Portland cement binder, and shall be so graded and drained as to dispose of all surface water accumulation within the parking area.

8. LIGHTING

Where lighting facilities are provided for the parking area they shall be designed and installed so as to reflect the light away from any contiguous residentially-zoned property.

*SECTION 12.11 MOBILE HOME DWELLING R-1T DISTRICTS

The following regulations shall apply in all R-1T Districts:

1. PURPOSE OF DISTRICT

The R-1T, Mobile Home Dwelling District is intended to apply to areas to be used for the parking or placement of house trailers for living quarters for permanent occupancy on individually owned plots or for occupancy under a lease or rental for a period in excess of one year.

2. USES PERMITTED

No building or structure or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following specified uses:

- a. One single-family dwelling in the form of a house trailer together with attached appurtenant and accessory structures.
- b. Sewage and water, treatment, pumping and storage facilities to serve an R-1T District, subject to the approval of the County Commission on the location, character and site plan of such uses as being in accordance with the spirit and purpose of the Zoning Resolution.
- c. Neighborhood social, education and recreational areas, structures and facilities to serve the R-1T District wherein located, subject to the approval of the County Commission on the location, character and site plan of such uses as being in accordance with the spirit and purpose of the Zoning Resolution.
- d. Public-owned and operated parks, playgrounds and recreational facilities.

*Effective 3/13/59

Revise Section 12.11, Paragraph 3, LIMITATIONS AND SPECIAL REQUIREMENTS,
Subparagraph f to read as follows:
f. Any R-1T District shall be at least 5 acres in gross area.
Effective 9/16/60

3. LIMITATIONS AND SPECIAL REQUIREMENTS

- a. The use of property zoned R-1T shall be restricted by deed covenants of record to Mobile Homes.
- b. The mobility of the vehicle used as a mobile home or house trailer shall be maintained.
- c. Attached appurtenant and accessory buildings and structures shall meet all County Building Code requirements.
- d. Plumbing fixtures and electrical connections associated with cooking facilities shall not be permitted in any building or structure other than the mobile home itself.
- e. Each plot shall abut on a public street at least 50 feet in width.
- f. Any R-1T District shall be at least 10 acres in gross area.
- g. Each plot shall be supplied with water and sewer facilities meeting the standards of the County Health Department and approved by that Department.

4. HEIGHT

No building or structure or part thereof shall be erected to a height exceeding 12 feet, provided that this limitation shall not apply to radio or television antenna.

5. PLOT SIZE

Each plot shall be not less than 40 feet in width and not less than 80 feet in depth, width to be measured perpendicularly to the side lot line.

6. YARDS

Each plot shall have side yards at least 6 feet in width, a front yard at least 15 feet in depth and a rear yard at least 10 feet in depth. A side yard abutting on a street shall be at least 15 feet in width. No enclosed or roofed structure shall be located in any required yard.

ARTICLE XIII TWO-FAMILY DWELLING R-2 DISTRICTS

The following regulations shall apply in all R-2 Districts:

SECTION 13.1 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

1. Any use permitted in an R-1A, R-1B, R-1C or R-1T District subject to the limitations, requirements and procedure specified for such use.
2. Two-family dwelling.
3. Two one-family dwellings
4. Church and church school incidental to church.
5. Uses accessory to any of the above when located on the same plot and not involving the conduct of any business, trade, occupation or profession.

SECTION 13.2 SIZE OF PLOT

DWELLINGS: Every plot upon which a residential structure is erected shall be not less than 60 feet in width and 6000 square feet in area, provided that a plot consisting of a single lot of record on the effective date of this Resolution may be utilized for a one-family dwelling.

NON-RESIDENTIAL USES: Every plot upon which a permitted non-residential structure or use, other than an accessory structure or use, is erected or placed shall be not less than 100 feet in width and 10,000 square feet in area.

SECTION 13.3 PLOT COVERAGE

The combined area occupied by all main and accessory buildings shall not exceed 40 percent of the area of the plot.

SECTION 13.4 HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding two and one half stories or 35 feet. Provided, that permitted non-residential buildings may be erected or altered to a height not exceeding 4 stories or 50 feet if approved by the County Commission as being not injurious to surrounding property and in accordance with the spirit and purpose of this Resolution.

SECTION 13.5 FRONT YARD

1. RESIDENTIAL USES: Every plot used for dwelling purposes shall

have a front yard not less than 25 feet in depth.

2. NON-RESIDENTIAL USES: Every plot whose principal use is non-residential shall have a front yard not less than 30 feet in depth.

SECTION 13.6 SIDE YARDS

1. RESIDENTIAL USES: Every plot used for dwelling purposes shall have a side yard on each side, each of which shall be at least $7\frac{1}{2}$ feet in width, except that where a plot is less than 60 feet in width, each side yard shall be at least 5 feet in width.
2. NON RESIDENTIAL USES: Every plot whose principal use is non-residential shall have a side yard on each side, each of which shall be not less than 20 feet in width, with an increase of one foot in width of each side yard for each 2 feet in height of the structure in excess of 20 feet.
3. CORNER PLOTS: Upon corner plots there shall be a front yard as hereinbefore specified, and also a side yard at least 15 feet in width on the side of the plot abutting on the side street.

SECTION 13.7 REAR YARD

- * 1. RESIDENTIAL USES: Every plot whose principal use is residential shall have a rear yard not less than 15 feet in depth.
2. NON-RESIDENTIAL USES: Every plot whose principal use is non-residential shall have a rear yard not less than 25 feet in depth.

SECTION 13.8 MINIMUM FLOOR AREA

The minimum floor area of a one-family dwelling shall be 600 square feet and the minimum floor area of a dwelling unit in a two-family dwelling shall be 400 square feet.

* Amended 3/13/59

SECTION 14.2 SIZE OF PLOT

DWELLINGS: Every plot upon which a dwelling is erected shall be not less than 60 feet in width and 6000 square feet in area, provided that a plot consisting of a single lot of record on the effective date of this Resolution may be utilized for a one-family dwelling.

NON-RESIDENTIAL USES: Every plot upon which a permitted non-residential structure or use, other than an accessory structure or use, is erected or placed shall be not less than 100 feet in width, and 10,000 square feet in area.

SECTION 14.3 PLOT COVERAGE

The combined area occupied by all main and accessory buildings and structures shall not exceed 40 per cent of the area of the plot for two story buildings or 50 per cent for one story buildings.

SECTION 14.4 HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding two and a half stories or 35 feet. Provided that permitted non-residential buildings and structures may be erected or altered to a height not exceeding 50 feet, if approved by the County Commission as being not injurious to surrounding property and in accord with the spirit and purpose of this Resolution.

SECTION 14.5 FRONT YARD

1. RESIDENTIAL USES: Every plot used for dwelling purposes shall have a front yard not less than 25 feet in depth.
2. NON-RESIDENTIAL USES: Every plot whose principal use is non-residential shall have a front yard not less than 30 feet in depth.

SECTION 14.6 SIDE YARDS

1. RESIDENTIAL USES: Every plot used for dwelling purposes shall have a side yard on each side, each of which shall be at least $7\frac{1}{2}$ feet in width for a one-family or a two-family dwelling and at least 10 feet in width for other residential uses, except that on a plot less than 60 feet in width which is utilized for a one-family or two-family dwelling, each side yard shall be at least 5 feet in width.
2. NON-RESIDENTIAL USES: Every plot whose principal use is non-residential shall have a side yard on each side, each of which shall be not less than 25 feet in width with an increase of one foot in width for each 2 feet in height of the structure in excess of 20 feet.

3. CORNER PLOTS: Upon corner plots there shall be a front yard as hereinbefore specified, and also a side yard at least 15 feet in width on the side of the plot abutting on a side street.

SECTION 14.7 REAR YARD

1. RESIDENTIAL USES: Every plot whose principal use is residential shall have a rear yard not less than 15 feet in depth, except that a rear yard abutting upon a waterway shall be at least 25 feet in depth.
2. NON-RESIDENTIAL USES: Every plot whose principal use is non-residential shall have a rear yard not less than 25 feet in depth.

SECTION 14.8 PLOT AREA PER ROOM

Every plot used for dwelling purposes shall provide a plot area per room of not less than the following:

<u>Size of Dwelling unit</u>	<u>Square feet of plot area</u>
One room	800
Two rooms	625
Three rooms	500
Four rooms	500
Each additional room	500

SECTION 14.9 MINIMUM FLOOR AREA

The minimum floor area of a one-family dwelling shall be 600 square feet, the minimum floor area of a dwelling unit in a two-family dwelling shall be 400 square feet, and the minimum floor area of a dwelling unit in a multiple dwelling shall be 325 square feet.

SECTION 14.10 OPEN PARKING LOTS

Open parking lots for the parking of self-propelled passenger vehicles, not including buses, which may be accessory to a use permitted in the District or to a use located outside of the District, and approved by the County Commission pursuant to Section 14.1, Paragraph 7, above, shall be arranged, maintained and used in accordance with these requirements:

1. The plot shall provide a front yard not less than 25 feet in depth, nor less than the front yard of any existing residential structure immediately adjacent and on either side of the plot.
2. A side yard shall be provided on each side of the plot, except on an alley side, not less than 10 feet in width.

3. An ornamental fence or wall 4 feet in height shall be placed between the parking area and the required yards and on the rear plot line, with only such openings as may be required for access.
4. The required front and sideyards shall be planted and kept in lawn that is maintained so as to present a healthy, neat and orderly appearance. The required yards shall be kept free from refuse and debris.
5. No signs shall be permitted other than unlighted entrance and exit markers, not exceeding 2 square feet in area, located within the parking area.
6. The parking area shall be provided and maintained with a stable surface treated and graded so as to prevent dust and surface water accumulation.
7. If lighting is provided for the parking area, all lights shall be subdued, shaded and focused away from all dwellings.

ARTICLE XV APARTMENT R-4 DISTRICT

The following regulations shall apply in all R-4 Districts:

SECTION 15.1 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

1. Any use permitted in an R-3 District, subject to the limitations, requirements and procedure prescribed for such use.
2. Hospitals, sanitariums, convalescent homes, nursing homes.
3. Orphanages, institutions for the aged, indigent or infirm, but not including mental cases.
4. Community garage.
5. Accessory uses and structures.

SECTION 15.2 SIZE OF PLOT

RESIDENTIAL USE: Every plot used for residential purposes shall be not less than 100 feet in width and 10,000 square feet in area, provided that a plot consisting of a lot of record on the effective date of this Resolution, may be utilized for a one-family dwelling.

NON-RESIDENTIAL USE: Every plot upon which a permitted non-residential structure or use, other than an accessory structure or use, is erected or placed shall be not less than 100 feet in width and 10,000 square feet in area.

SECTION 15.3 PLOT COVERAGE

The combined area occupied by all main and accessory buildings and structures shall not exceed the per cent given in the following table for various heights of building:

<u>HEIGHT</u>	<u>PER CENT</u>
One story	55
Two story	55
Three story	50
Four story	50
Five story	45
Six story	45
Seven story	40
Eight story	40

SECTION 15.4 HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding eight stories or 100 feet.

SECTION 15.5 FRONT YARD

1. RESIDENTIAL USES: Every plot used for dwelling purposes shall have a front yard not less than 25 feet in depth, unless a greater depth is required under Article V.-Yard Space Districts.
2. NON-RESIDENTIAL USES: Every plot whose principal use is non-residential shall have a front yard not less than 30 feet in depth, unless a greater depth is required under Article V - Yard Space Districts.

SECTION 15.6 SIDEYARDS

1. ONE-FAMILY or TWO-FAMILY DWELLINGS: Every plot used for a one-family or two-family dwelling shall supply side yards as specified in Section 13.6.
2. MULTIPLE DWELLINGS: Every plot used for a multiple dwelling or rooming house shall provide a side yard on each side, each of which shall be at least 10 feet in width, provided that the above required width of side yard shall be increased by $1\frac{1}{4}$ feet for each 10 feet by which the height of building exceeds 22 feet, unless a greater width of the yard is required under Article V.-Yard Space Districts.
3. NON-RESIDENTIAL USE: Every plot whose principal use is non-residential shall provide a side yard on each side, each of which shall be at least 25 feet in width with an increase of one foot in width for each 2 feet in height of the structure in excess of 20 feet, unless a greater width of the yard is required under Article V - Yard Space Districts.
4. Upon corner plots there shall be a front yard as hereinbefore specified, and also a side yard at least 15 feet in width on the side of the plot, abutting on the side street, unless a greater width is required under Paragraphs 1, 2, and 3 or Article V - Yard Space Districts.

SECTION 15.7 REAR YARD

1. ONE-FAMILY AND TWO-FAMILY DWELLINGS:

Every plot used for a one-family or a two-family dwelling shall have a rear yard not less than 15 feet in depth, except that a rear yard abutting on a waterway shall be at least 25 feet in depth.

2. OTHER USES: Every plot, the principal use of which is other than a one-family or two-family dwelling, shall have a rear yard not less than 20 feet in depth, plus an increase in depth of 2 feet for every 10 feet in height of building or structure in excess of 44 feet.

SECTION 15.8 PLOT AREA PER ROOM

Every plot used for dwelling purposes shall provide a plot area per room of not less than the following:

<u>SIZE OF DWELLING UNIT</u>	<u>SQUARE FEET OF PLOT AREA</u>
One Room	550
Two Rooms	400
Three Rooms	300
Four Rooms	300
Each Additional Room	275

SECTION 15.9 MINIMUM FLOOR AREA

The minimum floor area of a one-family dwelling shall be 600 square feet, the minimum floor area of a dwelling unit in a two-family dwelling shall be 400 square feet and the minimum floor area of a dwelling unit in a multiple dwelling shall be 325 square feet.

ARTICLE XVI PLANNED APARTMENT R-4A DISTRICT

The following regulations shall apply in all R-4A Districts:

SECTION 16.1 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

1. Any use permitted in an R-4 District, subject to the limitations, requirements and procedure specified for such use.

SECTION 16.2 SIZE OF PLOT

Every plot shall be not less than 3 acres in area.

SECTION 16.3 HEIGHT

No building or structure, or part thereof shall be erected or altered to a height exceeding 8 stories or 100 feet.

SECTION 16.4 GENERAL REQUIREMENTS

The provisions of Article XV, R-4 Districts, pertaining to Plot Coverage, Yards, Plot Area per Room, and Minimum Floor Area shall apply in all R-4A Districts.

SECTION 16.5 PLAN APPROVAL

No building or structure or part thereof shall be erected, altered or used, or land or water used, except in accordance with a plan for the location, spacing, arrangement, size, height and character of buildings, structures and uses, streets, alleys, open spaces, yards, parking, recreational facilities, walls, fences, driveways, signs, access and circulation, which plan has been approved by the County Commission. No such approval shall be given by the County Commission unless the Board finds after public hearing that the proposed plan and development thereunder, will conform to all of the applicable provisions of this Resolution, and will provide light, air, privacy, open space, safety, health, and protection to surrounding property in accord with the spirit and purpose of this Resolution.

ARTICLE XVII MOTEL R-5 DISTRICT

The following regulations shall apply in all R-5 Districts:

SECTION 17.1 USES PERMITTED

1. Any use permitted in an R-4 District, subject to the limitations, requirements and procedure prescribed for such use.
2. Hotel, motel, tourist home, lodging house, boarding house, villas, bungalow court.
3. Private club, lodge, fraternity, sorority and other similar uses, not operated for profit.
4. Institutions of an educational, philanthropic or eleemosynary character, not operated for profit, other than penal or correctional institutions or vocational or trade schools.
5. Medical or dental, office or clinic.
6. Colleges and universities offering courses of study leading to an academic degree and meeting the academic requirements of the Southern Association of Colleges and Secondary Schools.
7. Accessory uses and structures, not involving a business, except as provided in Section 17.2 following.

SECTION 17.2 SPECIAL ACCESSORY USES

1. Hotels, apartment hotels and motels having 50 or more units may have restaurants, night clubs, dining rooms, or bars which are located in the main building and which are of such design and size as to cater primarily to the guests of the main use, subject to the provisions of all regulations of Broward County.
2. Hotels, apartment hotels, multiple dwellings and motels having one hundred or more guest rooms may have retail stores, personal service shops, offices and similar uses for the convenience of their guests.
3. The special accessory uses permitted under Paragraph 1 and 2 above shall be subject to the following limitations and requirements:
 - a. Access to such special accessory uses shall be limited to the interior of the building and there shall be no direct public access from the exterior of the building, provided that the doors for exit purposes only may be located in the exterior walls of the building.
 - b. For each street front, one sign not to exceed 15 square feet in area shall be allowed for each 100 feet of street

frontage or fraction thereof, but in no case shall the total of such signs exceed two signs per street frontage. Such signs shall be used to advertise the following accessory uses: restaurants, dining rooms and cocktail lounges. Such accessory uses may be advertised only upon these permitted signs.

- c. There shall be no show windows or displays relating to such special accessory uses on the exterior of the building or visible from any street, waterway, ocean front or adjacent property.
- d. The space occupied by such special accessory uses shall be on the interior of the building and there shall be no evidence or indication of the existence of such special accessory uses on or from the exterior of the building.

SECTION 17.3 SIZE OF PLOT

Every plot shall be not less than 100 feet in width and 10,000 square feet in area, provided that a plot consisting of a single lot of record on the effective date of this Resolution, not less than 50 feet in width, may be utilized for a one-family dwelling.

SECTION 17.4 HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding 3 stories or 50 feet.

SECTION 17.5 PLOT COVERAGE

The combined area occupied by all main and accessory buildings and structures shall not exceed the per cent given in the following table for various heights of buildings:

<u>HEIGHT</u>	<u>PER CENT</u>
One story	55
Two story	55
Three story	50

SECTION 17.6 PLOT AREA PER ROOM

Every plot used for dwelling purposes shall provide a plot area per room of not less than the following:

<u>SIZE OF DWELLING UNIT</u>	<u>SQUARE FEET OF PLOT AREA</u>
One room	450
Two rooms	275
Three rooms	200
Four rooms	175
Each additional room	100

SECTION 17.7 FRONT YARD

Every plot shall have a front yard not less than 25 feet, unless a greater depth is required under Article V, Yard Space Districts.

SECTION 17.8 SIDE YARDS

1. ONE-FAMILY or TWO-FAMILY DWELLINGS: Every plot used for a one-family or two-family dwelling shall supply side yards as specified in Section 13.6.
2. OTHER PERMITTED USES: Every plot utilized for any other use permitted in an R-5 District shall provide a side yard on each side, each of which shall be at least 10 feet in width, provided that the above required width of side yard shall be increased by 2 feet for each 10 feet, or major fraction thereof, by which the height of the building exceeds 22 feet.
3. CORNER PLOTS: Upon corner plots there shall be a front yard as hereinbefore specified, and a side yard on the side street at least 15 feet in width, unless a greater width is required under Article V, Yard Space Districts.

SECTION 17.9 REAR YARD

Every plot shall have a rear yard not less than 25 feet in depth.

SECTION 17.10 MINIMUM FLOOR AREA

The minimum floor area of a one-family dwelling shall be 600 square feet, the minimum floor area of a dwelling unit in a two-family dwelling shall be 400 square feet, the minimum floor area of a dwelling unit in a multiple dwelling shall be 325 square feet and the minimum floor area of a rental sleeping room in a hotel, motel, lodging house, tourist home or similar use shall be 150 square feet.

ARTICLE XVIII HOTEL R-6 DISTRICT

The following regulations shall apply in all R-6 Districts:

SECTION 18.1 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

1. Any use permitted in an R-5 District, subject to the limitations, requirements and procedure prescribed for such use.

SECTION 18.2 SIZE OF PLOT

Every plot shall be not less than 100 feet in width and 10,000 square feet in area, provided that a plot consisting of a single lot of record on the effective date of this Resolution not less than 50 feet in width, may be utilized for a one-family dwelling.

SECTION 18.3 HEIGHT

No building or structure, or part thereof shall be erected or altered to a height exceeding 15 stories or 150 feet, provided that where any portion of a building or structure is utilized for a medical or dental office or clinic, such use shall not extend to a greater height than three stories or 35 feet.

SECTION 18.4 PLOT COVERAGE

The combined area occupied by all main and accessory buildings and structures shall not exceed the per cent given in the following table for various heights of buildings.

<u>HEIGHT</u>	<u>PER CENT</u>
One story	55
Two story	55
Three story	50
Four story	50
Five story	45
Six story	45
Seven story	40
Eight story	40
Nine story	40
Ten story	40
Eleven story	40
Twelve story	40
Thirteen story	40
Fourteen story	40
Fifteen story	40

SECTION 18.5 PLOT AREA PER ROOM

Every plot used for dwelling purposes shall provide a plot area per room of not less than the following:

<u>SIZE OF DWELLING UNIT</u>	<u>SQUARE FEET OF PLOT AREA</u>
One room	450
Two rooms	275
Three rooms	200
Four rooms	175
Each additional room	150

SECTION 18.6 FRONT YARD

Every plot shall have a front yard not less than 25 feet in depth, provided that where the building exceeds 100 feet in height, the depth of the front yard shall be increased by 2- $\frac{1}{2}$ feet for each 10 feet, or major fraction thereof, by which the height of the building exceeds 100 feet. A greater depth of front yard shall be provided where required under Article V, Yard Space Districts.

SECTION 18.7 SIDE YARDS

1. ONE-FAMILY OR TWO-FAMILY DWELLINGS: Every plot used for a one-family dwelling or two-family dwelling shall provide side yards as specified in Section 13.6.
2. OTHER PERMITTED USES: Every plot utilized for any other use permitted in an R-6 District shall provide a side yard on each side, each of which shall be at least 10 feet in width, provided that the above required width of sideyard shall be increased by 2 feet for each 10 feet, or major fraction thereof, by which the height of the building exceeds 22 feet.
3. CORNER PLOTS: Upon corner plots there shall be a front yard as hereinbefore specified, and a side yard at least 15 feet in width, unless a greater width is required under Paragraph 2 above or under Article V, Yard Space Districts.

SECTION 18.8 REAR YARD

Every plot shall have a rear yard not less than 20 feet in depth, which shall be increased by 2 feet for each 10 feet or major fraction thereof by which the height of the building exceeds 44 feet.

SECTION 18.9 MINIMUM FLOOR AREA

The minimum floor area of a one-family dwelling shall be 600 square feet, the minimum floor area of a dwelling unit in a two-family dwelling shall be 400 square feet, the minimum floor area of a dwelling unit in a multiple dwelling shall be 325 square feet and the minimum floor area of a rental sleeping room in a hotel, motel, lodging house, tourist home or similar use shall be 150 square feet.

ARTICLE XIX TRAILER PARK T-1 DISTRICT

The following regulations shall apply in all T-1 Districts.

*SECTION 19.1 PURPOSE OF DISTRICT

The T-1, Trailer Park District, is intended to apply to areas to be used for the parking or placement of house trailers for occupancy as living quarters, wherein the trailer park is owned or operated as a unit and individual spaces are occupied on a rental basis for periods not in excess of one year.

SECTION 19.2 USES PERMITTED

No building or structure or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

- *1. Trailer parks for rental of trailer sites for occupancy by house trailers as living quarters, wherein the trailer park is owned and/or operated as a unit.
2. Accessory uses and structures, not including the conduct of any business, occupation or profession except as permitted under Section 19.3 below.

SECTION 19.3 SPECIAL ACCESSORY USES

A trailer park providing space for 40 or more house trailers, may have retail stores and personal service shops for the care or treatment of the trailers' occupants or their clothing subject to the following limitations and requirements.

1. Such uses are wholly conducted within a completely enclosed building.
2. There are no signs or displays visible from any street, indicating such uses.
3. Such uses are conducted for the convenience of occupants of the trailer park and are not normally made available to other persons.
4. No animals, reptiles, insects or fowl shall be raised or kept in any trailer park, except domestic pets.

SECTION 19.4 PROHIBITED USES

The permissible uses enumerated in Sections 19.2 and 19.3 shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

*Amended 4/10/59

1. Display or sale of house trailers, except that an occupied house trailer, or an unoccupied house trailer previously occupied on the same site, may be sold on that site.
2. Storage or parking of house trailers except when a house trailer is located on a site preparatory to occupancy or between periods of occupancy.
3. Any service station, service or repair garage.
4. No second-hand or used merchandise shall be offered for sale displayed or stored on the premises except as incidental to the bona-fide sale of a house trailer.
5. No animals, reptiles, insects, poultry or fowl, shall be raised or kept in any trailer park, except where a trailer park has special facilities to take care of not more than one domestic animal per house trailer.
6. Dwelling units or living quarters except in a house trailer or as an accessory use.
- *7. Occupancy of a trailer site by a house trailer or living quarters except on a rental basis for periods not in excess of one year.

SECTION 19.5 PLOT SIZE

Every plot shall not be less than 100 feet in width and 1/2 acre in area. The required 100 foot minimum width need not be measured at a street line if the plot extends to a street by means of a strip at least 50 feet in width.

SECTION 19.6 HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding two stories or 30 feet.

SECTION 19.7 TRAILER SITE AREA

Every house trailer shall be placed upon a site for such trailer and its appurtenances, having minimum dimensions of 35 feet x 40 feet.

SECTION 19.8 YARDS

Every plot used for trailer park purposes shall provide yards as follows:

1. FRONT YARD: Every plot shall have a front yard not less than 25 feet in depth, and this minimum depth of yard shall be provided on all streets upon which the plot abuts.

*Effective 4/10/59

2. SIDE YARDS: Each side of every plot shall have a side yard not less than 10 feet in width.
3. REAR YARD: Every plot shall have a rear yard not less than 15 feet in depth.
4. No accessory building or structure shall be placed in any required yard space.

SECTION 19.9 SEPARATION OF TRAILERS

No part of any house trailer, or any addition or appurtenance thereto shall be placed within 10 feet of any other house trailer, addition or appurtenances thereto. No part of any house trailer or addition or appurtenance thereto shall be located within 25 feet of any accessory or service building or structure used in connection with a trailer park.

SECTION 19.10 ACCESS TO TRAILER SITES

Each trailer site shall abut upon a driveway or unobstructed space, not less than 30 feet in width, which space shall have unobstructed access to a street. Such driveway or space shall have a hard surfaced roadway not less than 20 feet in width and shall be adequately lighted.

SECTION 19.11 PORCHES AND ADDITIONS

Porches, additions and other appurtenances to house trailers shall conform to the provisions of this Article and also to the applicable provisions of all Broward County building regulations.

All canvas, portable or demountable roofs, porches or appurtenances shall be dismantled and stored either within the trailer or in some permanent building during the following circumstances:

- (1) Within one hour after all hurricane alerts by the U. S. Weather Bureau.
- (2) If the trailer is not to be occupied for a period of 30 days or more.

SECTION 19.12 HEALTH AND SANITATION

Every trailer park and the house trailers located therein shall comply with the following minimum requirements:

1. WATER SUPPLY: Fresh water supply shall be available within 100 feet of every trailer site.
2. TOILETS: No trailer site shall be more than 200 feet from approved toilet facilities.

3. Provision shall be made for the semi-weekly removal of all garbage, trash and refuse from the trailer park.
4. OCCUPANCY: The number of occupants of a trailer and its porch or additions shall be limited to the sleeping accommodations for which the trailer was designed.
5. The sanitary regulations of the State and County shall be complied with as to all fixtures installed or maintained. Trailer parks shall provide at least one septic tank of 1800 gallons capacity which shall be increased as required by the County Health Department Regulations if more than 20 trailers are accommodated.

*ARTICLE XX RECREATIONAL S-1 DISTRICT

The following regulations shall apply in all S-1 Districts:

SECTION 20.1 PURPOSE OF DISTRICT

The S-1, Recreational District is intended for outdoor sports and recreational activities in which the participants are actively engaged, but which may also provide entertainment for spectators. The activities for which the S-1 District is provided are normally and primarily conducted in the open air while related accessory uses may be in the open air or in a building or structure. The functional characteristics of an S-1 District may require its location within, or in close relationship to, residential areas, public recreational areas or scenic areas. Because of the nature of uses involved and the variety of arrangement of uses and facilities on the site plan of development, broad general regulations for plot size, yards, setbacks and height cannot be satisfactorily specified. For these reasons, and to assure efficient functioning and effective public service, the uses and site plans for development, improvement and operation are made subject to review and approval in each case.

SECTION 20.2 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses, subject to the procedure specified in Section 20.4 following:

1. Archery Range
2. Baseball Driving Range
3. Bathing Beach
4. Boat Anchorage
5. Boat Dock
6. Boat Launching Facility
7. Cabanas
8. Charter Boat Dock
9. Country Club
10. Excursion Boat Dock
11. Fishing Pier
12. Golf Course
13. Golf Driving Range
14. Group Fishing Boat Dock
15. Lawn Bowling
16. Miniature Golf Course
17. Shuffleboard Court
18. Sightseeing Boat Dock or Stop
19. Stadium
20. Swimming Pool
21. Tennis Courts
22. Any use of the outdoor recreational type which is found by the County Commission to be similar in character to, and

*Effective 6/12/59

From ARTICLE XX, Section 20.4, APPROVAL OF USES AND DEVELOPMENT PLAN, delete Paragraph 6.

Effective 8/26/60.

Revise ARTICLE XI, Section 11.2, USES PERMITTED, Paragraph 17, the opening paragraph, to read as follows:

17. The following uses subject to the approval of the County Commission on the specific location and site plan of such use, when the County Commission finds such use, its location and site plan to be consistent with the proper development of Broward County and to be in accordance with the spirit and purpose of the Zoning Resolution.

Effective 8/26/60.

not more detrimental to surrounding property than, a use listed as permissible in this Paragraph.

23. Accessory Uses

SECTION 20.3 USES PROHIBITED

The permissible uses enumerated in Section 20.2 above subject to special approval in each individual case, shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

1. Any use not specifically approved by the County Commission pursuant to Section 20.4.
2. Any industrial or manufacturing use.
3. Drive-in theatre, drive-in restaurant or drive-in refreshment stand.

SECTION 20.4 APPROVAL OF USES AND DEVELOPMENT PLAN

1. No use, whether principal or accessory, shall be instituted or changed, and no building or structure, or part thereof, shall be erected, altered or used, or land or water used, nor shall any building permit or certificate of occupancy be issued therefor, unless and until such use, and a Development Plan for such building, structure or use, shall have been presented to and approved by the County Commission.
2. No building or structure, or part thereof, shall be erected, altered or used, or land or water used, or any change of use consummated, not shall any building permit or certificate of occupancy be issued therefor, unless and until a Development Plan for such building, structure or use shall have been presented to and approved by the County Commission.
3. Any such building, structure or use shall be erected, altered, installed and maintained in full conformity with the provisions of the Zoning Resolution and with a Development Plan approved by the County Commission.
4. In passing upon and approving such Development Plan the County Commission shall consider the location, size, height, spacing, appearance, character and utilization of any building, structure or use and their appurtenances, access and circulation for vehicles and pedestrians, streets, parking areas, yards and open spaces, and relationship to adjacent property. The County Commission shall not approve such Development Plan unless it finds that such Development Plan conforms to all applicable provisions of the Zoning Resolution, that the safety and convenience of the public are properly provided for, that adequate offstreet parking and loading facilities are provided

for employees, customers and visitors, and that adequate protection and separation are provided for contiguous and nearby residential property. The County Commission may attach to its approval of a Development Plan any reasonable conditions, limitations or requirements which are found necessary in its judgement to effectuate the purposes of this and carry out the spirit and purpose of the Zoning Resolution.

5. A Development Plan for the purposes of this section shall include, but not necessarily be limited to, the following plans, designs, specifications and information:
 - a. Site plan.
 - b. Elevations, floor plans and uses of all buildings and structures.
 - c. Location and character of all outside facilities for waste disposal.
 - d. All curb cuts, driveways, parking areas, loading areas, and surfacing materials of same.
 - e. All pedestrian walks, malls, yards and open areas.
 - f. Location, size, character, height and orientation of all signs.
 - g. Location, height and character of walls and fences.
 - h. Location and character of landscaping.
6. Before passing upon and approving any use or Development Plan, the County Commission shall receive a report and recommendation thereon from the County Building and Zoning Department.

SECTION 20.5 MODIFICATION OF DEVELOPMENT PLAN

Any change in use of buildings, structures, land or water, or institution of new uses, or alteration of or addition to buildings or structures, or erection of new buildings or structures shall be in accordance with a new or modified Development Plan conforming with and approved pursuant to preceding.

SECTION 20.6 HEIGHT

No building or structure, or part thereof shall be erected or altered to a height exceeding 50 feet or to a height exceeding that indicated on the approved Development Plan.

SECTION 20.7 PLOT SIZE

Every plot shall be not less than 200 feet in width and 40,000 square feet in area.

SECTION 20.8 YARDS

Yards shall be provided and maintained as required by any applicable provisions of the Zoning Resolution and as indicated on the approved Development Plan.

ARTICLE XXI NEIGHBORHOOD BUSINESS B-1 DISTRICT

The following regulations shall apply in all B-1 Districts:

SECTION 21.1 PURPOSE OF DISTRICT

The B-1, Neighborhood Business District, is intended primarily to meet the local neighborhood shopping and personal service needs of a limited surrounding residential area. Retail stores permitted therein are intended to include primarily convenience goods which are usually a daily necessity for a residential neighborhood.

SECTION 21.2 USES PERMITTED

1. The following kinds of retail stores:
Confectionery, dairy products, dressed poultry, drug, florist, fruit and vegetable, garden supply, gift, grocery, hardware, hobby supply, ice cream, jewelry, meat market, music, notions, pet supply, seafood, souvenir, sundry, supermarket, tobacco, toy, variety, wearing apparel.
2. Bakery or delicatessen, provided all preparation of food is for retail sale on the premises, and the services of not more than 6 persons, are utilized in any such establishment.
3. The following personal services:
Barber, beauty parlor, hat cleaning and blocking, pressing and mending, shoe repair, shoe shine.
- *4. The following miscellaneous uses:
Day nursery, dressmaking, laundry and dry-cleaning pick-up station, medical and dental offices, non-alcoholic beverage bar, nursery school, restaurant, self-service ice stations, tailor, watch and jewelry repair, self-service laundry, business and professional offices.
5. Automobile parking lot and parking garage.
- *6. Church, private or parochial school, nursery school or child care center, non-profit private club.
7. A residential use accessory to a permitted use.
8. Accessory uses and structures.

SECTION 21.3 USES PROHIBITED

The permissible uses enumerated in Section 21.2 above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

1. Automobile, truck, trailer, motorcycle, boat or machinery sale, storage or service, including repair garages, used car lots, service stations and auto laundries.

2. Mortuaries.
3. Business offices, and professional offices not listed under permitted uses.
4. Drive-in restaurants or refreshment stands.
5. Wholesale establishments.
6. Pawn shops.
7. Sales, storage or display of lumber or building materials.
8. Theatres, night clubs, establishments for consumption of alcoholic beverages on the premises.
9. Plumbing, electrical or sheet metal shops.
10. Animal hospitals and veterinary clinics.
11. Cabinet or carpenter shop.
12. Storage or warehouse uses except as incidental to a permitted use.
13. Advertising sign.
14. Any other use first permitted in a less restricted district.

SECTION 21.4 LIMITATIONS ON USES

1. Except for automobile parking lots, all activities of permitted uses, including sale, display, preparation and storage, shall be conducted entirely within a completely enclosed building.
2. No second hand or used merchandise shall be offered for sale, displayed or stored.
3. All products produced shall be sold at retail in connection with a permitted use.
4. No retail store shall have a floor area open to the public, including display, service and sales, greater than 5000 sq. ft.

SECTION 21.5 HEIGHT

1. No building or structure shall be erected or altered for a use first permitted in a B-1 District to a height exceeding two stories or 30 feet.
2. No building or structure shall be erected or altered for any other use permitted in a B-1 District to a height exceeding 4 stories or 50 feet.

SECTION 21.6 PLOT SIZE

There shall be no minimum required width or area of plot.

SECTION 21.7 YARDS

1. Plots utilized for both a non-residential and permitted residential use shall provide yards as specified in Section 3.33.
2. All plots shall provide yards in accordance with Section 3.26.

ARTICLE XXII COMMUNITY BUSINESS B-2 DISTRICT

The following regulations shall apply in all B-2 Districts.

SECTION 22.1 PURPOSE OF DISTRICT

The B-2, Community Business District, is intended primarily to meet the shopping, and limited service needs of several neighborhoods or a substantial territory. Retail stores are intended to include convenience, fashion and durable goods. B-2 Districts may be located along traffic arteries or in concentrated shopping centers.

SECTION 22.2 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

1. Any use permitted in a B-1 District.
2. Hotel, motel, multiple dwelling, rooming or boarding house.
- **3. The following kinds of retail stores, and other similar thereto: Antiques, art supply, automobile accessory, automobile new parts, bait and tackle, boat and marine motors in buildings, business machines, camera and photographic supply, cersettierre, department, dry goods, furniture, furrier, greeting cards, home appliances, household furnishings, leather goods and luggage, linens, fabrics and draperies, millinery and modiste, musical instruments, newsstand, office furniture and equipment, optical goods, package liquor, paint, pets, sporting goods, stationery and books, television, radio and phonograph, wallpaper, swimming pool supplies and equipment.
4. The following services: Bath and massage parlors, commercial gymnasiums, service stations, fur storage, health institutions, radio, television and phonograph repair incidental to sales, reducing studio, quick-service laundry, utility trailer display and storage incidental to a service station with not more than 5 such trailers for rental purposes.
- *4A. Dry cleaning establishment for direct service to customers, subject to the following limitations and requirements:
 - a. Service shall be rendered directly to customers who bring in and pick up the articles to be dry-cleaned.
 - b. The establishment shall not provide pick up or delivery service.

*Effective 7/10/59
**Effective 6/10/60

- c. The services of not more than 5 persons shall be utilized in the operation of the establishment.
 - d. Not more than two cleaning units shall be used in any establishment, neither or which shall have a rated capacity in excess of 40 pounds.
 - e. The entire cleaning and drying process shall be carried on within completely enclosed solvent-reclaiming units.
 - f. All solvents used in the cleaning process and the vapors therefrom shall be non-explosive and non-inflammable.
5. The following amusement and recreation uses: Aquarium, assembly hall, night club, music hall, bar, tavern, pool, or billiard room, theatre, museum, exhibits, amusement devices such as penny arcades, peep shows, shooting galleries, games of skill and science, astrologists, fortune telling, palmistry, phrenology.
 6. The following office types of uses: Banks and financial institutions, business and professional offices, custom brokers and manufacturers agency, employment office, governmental offices, messenger office, post office, public utility offices, stock broker, stock exchange, telegraph office, ticket office, travel agency, newspaper office.
 7. The following water-related uses: Boat and marine motor service and repair while boats are in water, boat rental, livery and hire, charter boats, group fishing boats, commercial wharves, piers, slips and anchorages, sightseeing and excursion boats.
 8. The following miscellaneous uses: Art, charm, dancing, dramatic or music schools, business or commercial school, artist studio, auction of art goods, jewelry, rugs and the like, costumer, dental laboratory, interior decorator, motor bus terminal, lawn furniture sale, photographic studio, radio and television studios, day nursery or nursery school.
 9. The following non-commercial types of uses: Church, church school and uses accessory thereto; library, museum and similar institutions of a non-profit character; publicly-owned or operated buildings or uses, including community buildings, parks, playgrounds, but not including dump, sanitary fill or incinerator; private club, lodge, fraternity and similar uses not operated for profit.
 10. The following uses, subject to the special approval of the County Commission after a finding of their necessity or desirability for public convenience and/or welfare and of their conformity with the spirit and purpose of this Resolution.
 - a. Fishing or amusement pier.
 - b. Public utility station or substation.

11. Accessory uses and structures.

SECTION 22.3 USES PROHIBITED

The permissible uses enumerated in Section 22.2 above shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

1. Automobile, truck, trailer, motorcycle, or machinery, sales, display, storage or repair, including repair garages, new car agencies, used car lots and auto laundries.
2. Mortuaries, vocational schools except as specifically permitted.
3. Drive-in theatres, drive-in restaurants or drive-in refreshment stands.
4. Bulk sales, storage or display of lumber or building materials.
5. Wholesale establishments.
6. Pawnshops.
7. Display or sale of second-hand or used merchandise except in antique store or in connection with a permitted auction.
8. Cabinet, carpenter, plumbing, electrical, sign or sheet metal shops.
9. Animal hospital or veterinary clinic.
10. Storage or warehouse uses except as accessory to a permitted use.
11. Any other use first permitted in a less restricted district.

SECTION 22.4 LIMITATIONS ON USES

1. Except for automobile parking lots, drive-in banks and filling stations, all activities of permitted uses, including sale, display, preparation and storage shall be conducted entirely within a completely enclosed building.
2. No second-hand or used merchandise shall be offered for sale, displayed or stored except in an antique store, or as incidental to the sale of new merchandise.
3. All products produced incidental to a permitted use shall be sold at retail on the premises.

SECTION 22.5 HEIGHT

1. No building or structure shall be erected or altered to a height exceeding 100 feet.

SECTION 22.6 PLOT SIZE

There shall be no minimum required width or area of plot.

SECTION 22.7 YARDS

1. Plots utilized for both a non-residential and a permitted residential use shall provide yards as specified in Section 3.33.
2. All plots shall provide yards in accordance with Section 3.26.

ARTICLE XXIV GENERAL BUSINESS B-3 DISTRICTS

The following regulations shall apply in all B-3 Districts.

SECTION 24.1 PURPOSE OF DISTRICT

The B-3, General Business District is intended to apply to arterial streets and traffic ways where business establishments primarily not of a neighborhood or community service type may properly locate to serve large sections of the city and metropolitan area. Such businesses generally require considerable ground area, do not cater directly to pedestrians and need a conspicuous and accessible location convenient for motorists.

SECTION 24.2 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses.

USES PERMITTED

1. Any use permitted in a B-1 or B-2 District.
2. New or used automobile, truck and trailer display, sales and repairs. Repair and service garage, not including bumping and painting. Auto laundry. Display and storage of not more than 10 utility trailers for sale or rental purposes.
3. Boat sales.
4. Home appliance repair, hand laundry, job printing shop, locksmith, sharpening and grinding, radio, television and phonograph repair, newspaper printing plant.
5. Archery range, barbecue stand, boxing or sports arena, drive-in restaurant or refreshment stand, golf driving range, miniature golf course, bowling alley, pony ride and pony riding ring, skating rink, swimming pool, drive-in theatre.
6. Armory, lodge hall, pawn shop, telephone exchange, taxidermist, veterinary, research and testing laboratory, mortuary or undertaker, pest control agency, plant nursery or landscaper.
7. Tire and battery store, retail plumbing and electrical fixtures, lawnmower rental, sales, and service, ship chandlery.
8. Accessory uses and structures.

SECTION 24.3 USES PROHIBITED

The permissible uses enumerated in Section 24.2 above shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

ARTICLE XXIV GENERAL BUSINESS B-3 DISTRICTS

The following regulations shall apply in all B-3 Districts.

SECTION 24.1 PURPOSE OF DISTRICT

The B-3, General Business District is intended to apply to arterial streets and traffic ways where business establishments primarily not of a neighborhood or community service type may properly locate to serve large sections of the city and metropolitan area. Such business generally require considerable ground area, do not cater directly to pedestrians and need a conspicuous and accessible location convenient for motorists.

SECTION 24.2 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses.

1. Any use permitted in a B-1 or B-2 District.
2. New or used automobile, truck and trailer display, sales and repairs. Repair and service garage, not including bumping and painting. Auto laundry. Display and storage of not more than 10 utility trailers for sale or rental purposes.
3. Boat sales.
4. Home appliance repair, hand laundry, job printing shop, locksmith, sharpening and grinding, radio, television and phonograph repair, newspaper printing plant.
5. Archery range, barbecue stand, boxing or sports arena, drive-in restaurant, or refreshment stand, golf driving range, miniature golf course, bowling alley, pony ride and pony riding ring, skating rink, swimming pool, drive-in theatre.
6. Armory, lodge hall, pawn shop, telephone exchange, taxidermist, veterinary, research and testing laboratory, mortuary or undertaker, pest control agency, plant nursery or landscaper.
- *7. Tire and battery store, retail plumbing and electrical fixtures, lawnmower rental, sales, and service, ship chandlery, upholstering shop utilizing the services of not more than four (4) persons on the premises and occupying not more than 4,000 square feet of floor space, offices of electrical and plumbing contractors, including not over 4,000 square feet of enclosed storage and shop space, with no outside or open air storage of supplies or materials.
8. Accessory uses and structures.

*Effective 6/10/60

SECTION 24.3 USES PROHIBITED

The permissible uses enumerated in Section 24.2 above shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

1. Open air sale or display of machinery, farm implements, construction equipment.
2. Manufacturing except as accessory to a permitted use.
3. Wholesale, warehouse or storage uses.
4. Any use first permitted in a less restricted district.

SECTION 24.4 LIMITATIONS ON USES

All products produced incidental to a permitted use shall be sold at retail on the premises.

SECTION 24.5 HEIGHT

No building or structure shall be erected or altered to a height exceeding 100 feet.

SECTION 24.6 PLOT SIZE

1. There shall be no minimum required size of plot for non-residential uses.
2. Plots containing a residential use permitted in an B-2 District shall be not less than 100 feet in width and 10,000 square feet in area, except for accessory uses.

SECTION 24.7 YARDS

1. Plots, which have both non-residential and permitted residential uses, shall be provided with the yards specified under Section 3.33.
2. All plots shall provide yards in accordance with Section 3.26.

SECTION 24.8 MINIMUM FLOOR AREA

The minimum floor area of a dwelling unit shall be 325 square feet. The minimum floor area of a rental sleeping room in a hotel, motel, lodging house, tourist home or similar use shall be 150 square feet.

ARTICLE XXV COMMERCIAL C-1 DISTRICTS

The following regulations shall apply in all C-1 Districts.

SECTION 25.1 PURPOSE OF DISTRICT

The C-1 Commercial District is generally intended for certain repair and other services, wholesale, storage and warehouse uses and sales of large or heavy machinery and equipment. It serves large sections of the County rather than nearby residential areas, and does not cater to pedestrian trade.

SECTION 25.2 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

1. Any use permitted in B-3 Districts, except as specified in Section 25.3.
2. Sales and display of the following:
 - Automobile second hand parts (No wrecking)
 - Agricultural implements
 - Building supplies in a building
 - Construction equipment
 - Dairy supplies
 - Feed
 - Fertilizer
 - Fuel
 - Machinery
 - Monuments
 - Motorcycles
 - Pumps
 - Produce
 - Restaurant and hotel, supplies and equipment
 - Second-hand merchandise
 - Ship Chandlery
 - Swimming pool supplies
 - Tractors
 - Welding equipment and supplies
3. The following service establishments:
 - Ambulance service
 - Animal hospital
 - Bookbinding
 - Boarding Kennel
 - Cleaning and Dyeing establishment
 - Carpet and rug cleaning
 - Crating, packing and shipping service

Distribution service and package delivery
Diaper Service
Food catering
Fruit packing and shipping
Glass and mirror shop
Linen supply
Laundry
Milk Distributing stations
Magazine wholesale agency
Mirror silvering
Printing, lithography and engraving
Soft drink bottling

#4. The following repair and shop uses:

Automobile paint shop
Awning and canvas shop
Battery repair and rebuilding
Electrical repair shop
Electrical contractor shop
Furniture repair shop
Household repair shop
Plumbing shop
Roofing contractor shop
Restaurant and store fixture shop
Sign painting shop
Tire recapping and vulcanizing
Upholstering shop

5. The following wholesale, warehouse and storage uses:

Cold storage plant
Frozen food lockers
Ice storage house
Fish house
Storage warehouse
Wholesale establishment
Wholesale seafoods.

**6. The following miscellaneous uses:

Creamery
Express office
Gas regulator station
Railroad freight or passenger station
Railroad transfer, storage and team tracks
Theatrical studio
Trade and vocational school
Transformer and electrical switching station
Seaplane base
Utility trailer display and storage
Lumber Yard
Electric utility yard.
Bottle gas storage, filling and distribution

*Amended 4/10/59

**Amended 3/13/59 and 4/10/59

*7. The following uses, when approved by the County Commission for a location, after a finding by the Commission that such use will be consistent with the character of the area within which it is to be located and that such use will not be contrary to the spirit and purpose of the zoning resolution:

Automobile body shop
Cabinet and carpenter shop
Heating contractor shop
Sheet metal shop
Sign shop
Tinsmith shop
Boat building and repair, up to 45 foot length

*8. Accessory uses and structures.

SECTION 25.3 USES PROHIBITED

The permissible uses enumerated in Section 25.2 above shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

1. Motor freight terminal.
2. Open air display, sale or storage of new or used building materials. (Except as accessory to a permitted use).
3. Any use first permitted in a less restricted district.
4. Dwellings, except as accessory to a permitted use.
5. Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalow courts.
6. Hospitals, sanitariums, orphanages and similar institutions for the care or treatment of persons.

SECTION 25.4 HEIGHT

No building or structure shall be erected or altered to a height exceeding 100 feet.

SECTION 25.5 PLOT SIZE

There shall be no minimum required size of plot.

SECTION 25.6 YARDS

Yards shall be provided in accordance with the provisions of Sections 3.33 and 3.26.

*Amended 4/10/59

ARTICLE XXVI LIGHT INDUSTRIAL M-1 DISTRICTS

The following regulations shall apply in all M-1 Districts:

SECTION 26.1 PURPOSE OF DISTRICT

The M-1 Light Industrial District is intended primarily for the manufacture of small articles and non-objectionable products not involving the use of any materials, processes or machinery likely to cause undesirable effects upon nearby or adjacent residential or business property. The M-1 District may directly abut a residential or business district and the activities permitted in an M-1 District are intended to be such as may be compatible with such neighboring districts under the yard and separation regulations provided. In order to minimize conflict and preserve the M-1 Districts for their primary purposes, residential and institutional uses are not permitted therein.

SECTION 26.2 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following uses:

1. Any use permitted in a B-3 District, except as prohibited in Section 26.3.
2. Manufacture of the following:

Brooms and brushes
Candy
Cigars, cigarettes or snuff
Cosmetics and toiletries, except soap
Clothing and hats
Ceramic products, electrically fired
Candles
Dairy products
Ice Cream
Jewelry
Leather goods and luggage
Optical equipment
Orthopedic and medical appliances
Pottery, electrically fired
Perfume
Pharmaceutical products
Precision instruments
Plastic products, except pyroxylin
Paper products, and cardboard products
Silver ware
Spices and Spice packing
Stationary
Shoes
Television, radio and phonograph

Revise Section 26.2, USES PERMITTED, Paragraph 4, by adding the following:

Printing, publishing, lithography and engraving

Effective 9/16/60

3. Manufacture of products from aluminum, brass, bronze, copper, steel, or other metal or from bone, cloth, hair, leather, paper, rubber, shell, plastic, wood or other materials, provided power not in excess of 3 horsepower on any one motor is utilized in the operation of any one machine, such as:

Artificial flowers, feathers or plumes

Bags

Buttons or novelties

Canvas products

Food products, chewing gum, syrups, fruit juices, extracts, drugs or medicines

Electrical fixtures

Electronic devices

Hardware and cutlery

Musical instruments

Small parts and devices

- ← 4. Any of the following:

*Boat building and repair, up to 45-foot length, when located more than 500 feet from residentially-zoned property.

Bakery

Cutting or blending of liquor

Cheese making

Carpenter and cabinet shop

Electroplating

Egg storage, candling or processing

Hydroponic garden

Hatchery, fish or fowl

Motion picture studio

Pattern making

Slat house

Stamping, dieing, shearing or punching of metal not over 1/8" in thickness incidental to other manufacturing processes.

Tool, die and gauge shop

Transformer and electrical switching station

5. Warehouses and storage buildings

6. Accessory uses and structures, including living quarters, accessory to a permitted use.

SECTION 26.3 USES PROHIBITED

The permissible uses enumerated in Section 26.2 above shall not be construed to include, either as a principal or accessory use any of the following, which are listed for emphasis:

1. The manufacture of any product or the utilization of any process or operation expressly specified for an M-2 or M-3 District.

2. Foundry

3. Drop Forging

*Effective 4/22/60

2. Foundry
3. Drop Forging
4. Stamping, dieing, shearing or punching of metal exceeding 1/8 inch in thickness, or of lesser thickness except as incidental to other manufacturing processes.
5. Paint or varnish manufacture
6. Oil compounding or barrelling
7. Manufacture of asphalt, brick, tile, cement, lime, plaster, concrete, or products thereof.
- *8. Open air storage in bulk of asphalt, brick, building materials, butane, cement, clay products, concrete products, coal, contractors' equipment, cotton, fuel, gasoline, grain, gravel, grease, hay, ice, lead, lime, liquor, plaster, pipe, lumber, machinery, propane, roofing, rope, sand, stone, tar, tarred or creosoted products, terra cotta, timber, wine, wood, or wool. This prohibition does not apply to storage of these materials in warehouses.
9. Use of automatic screw machines
10. Institutions for the housing, care or treatment of sick, indigent, aged or adolescent persons.
11. Dwellings except as accessory to a permitted use.
12. Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalow courts.
13. Motor freight terminals

SECTION 26.4 HEIGHT

No building or structure shall be erected or altered to a height exceeding 100 feet.

SECTION 26.5 PLOT SIZE

There shall be no minimum required size of plot.

SECTION 26.6 YARDS

Every plot shall be provided with the yards required under Sections 3.26 and 3.33.

*Amended 3/13/59

ARTICLE XXVII MEDIUM INDUSTRIAL M-2 DISTRICTS

The following regulations shall apply in all M-2 Districts.

SECTION 27.1 PURPOSE OF DISTRICT

The M-2, Medium Industrial District, is intended primarily for those manufacturing operations which by their inherent nature, or by virtue of the materials used, processes utilized or products produced, may involve some characteristics objectionable to or incompatible with residential areas. Hence M-2 Districts are not intended for locations abutting residential property. In order to minimize possible conflicts and preserve M-2 Districts for their primary purposes, residential or institutional uses are not permitted therein.

SECTION 27.2 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

1. Any use permitted in an M-1 District or a C-1 District.

2. Manufacture of the following:

Automobile accessories, except tires
Acids, except hydrochloric, nitric, picric, sulphurous or sulphuric acid
Boxes
Carbon
Canvas, cloth, cork, excelsior or textiles
Disinfectant and insecticide
Batteries and other electrical apparatus
Mattress
Rope
Sash and doors
Starch, glucose and dextrine

3. Any of the following:

Automatic screw machines
Automobile assembly plant
Animal refuge
Assaying
Airplane hanger
Airport
Blacksmith shop
Canning factory
Cider mill
Construction or contractor yard
Cooperage
Cemetery, columbarium, mausoleum or crematory
Die casting
Livery stable, riding academy or dude ranch
Lumber yard with planing mill

Meat processing, no slaughtering
Metal-buffing, plating and polishing
Machine shop
Millwork, lumber and planing mill
Motor freight terminal and depot
Mattress and bedding renovator
Painting and varnishing
Radio or television, broadcasting towers or antenna
Welding shop

4. Storage in bulk of asphalt, brick, building materials, butane cement, clay products, concrete products, coal, contractor's equipment, cotton, fuel, gasoline, grain, gravel, grease, hay, ice, lead, lime, liquor, plaster, pipe, lumber, machinery, propane, roofing, rope, sand, stone, tar, tarred or creosoted products, terra cotta, timber, wood or wool, provided the area so used is located inside a fully enclosed building or masonry wall at least 6 feet in height.

- ← 5. The following uses when approved by the County Commission for a specific location:

Manufacture of poison or sperm oil
Animal burying ground
Brewing and distilling of malt beverages or liquors
Carnival, circus or similar amusement enterprise
Circus quarters, menagerie or keeping of wild animals
Correctional or penal institution
Fish smoking, curing or canning
Race Track: automobile, motorcycle, horse or dog
Rifle range
Tank storage of bulk oil and gasoline
Truck terminal or motor freight terminal

6. Accessory uses and structures, including living quarters accessory to a permitted use.

SECTION 27.3 USES PROHIBITED

The permissible uses enumerated in Section 27.2 above shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

1. The manufacture of any product or the utilization of any material, process or operation expressly specified for an M-3 District.
2. Foundry
3. Drop forging
4. Smelting or refining of ores or metals
5. Paint or varnish manufacture

6. Manufacture of asphalt, brick, tile, cement, lime, plaster, concrete or products thereof.
7. One-family, two-family, or multiple dwellings except as specified under permitted uses.
8. Hotel, motels, boarding or rooming houses, lodging house, tourist home, trailer court or park, bungalow court.
9. Institutions for the housing, care or treatment of sick, indigent, aged or adolescent purposes.

SECTION 27.4 HEIGHT

No building or structure, or part thereof, shall be erected, or altered to a height exceeding 100 feet.

SECTION 27.5 PLOT SIZE

There shall be no minimum required size of plot.

SECTION 27.6 YARDS

Every plot shall be provided with the yards required under Sections 3.33 and 3.26.

Revise opening paragraph of Section 27.2, Paragraph 5, to read as follows:

5. The following uses, subject to the approval of the County Commission on the specific location and site plan of such use, when the County Commission finds such use, its location and site plan to be consistent with the proper development of Broward County, to be appropriate in relation to contiguous property and to be in accordance with the spirit and purpose of the Zoning Resolution:

Effective 9/16/60

ARTICLE XXVIII GENERAL INDUSTRIAL M-3 DISTRICTS

The following regulations shall apply in all M-3 Districts.

SECTION 28.1 PURPOSE OF DISTRICT

The M-3, General Industrial District, is intended primarily for those manufacturing activities which may unavoidably create some undesirable effects and which are not properly associated with residential or business areas. In order to minimize conflict, and to preserve and protect the character of the General Industrial Districts, certain residential and institutional uses are not permitted therein.

SECTION 28.2 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

1. Any use permitted in M-2 District.
2. *The following uses subject to the approval of the County Commission on the specific location and site plan of such use, when the County Commission finds such use, its location and site plan to be consistent with the proper development of Broward County, to be appropriate in relation to contiguous property and to be in accordance with the spirit and purpose of the Zoning Resolution.
 1. Animal slaughterhouse or abattoir
 2. Asphalt manufacture or refining
 3. Asphalt paving plant
 4. Corrosive acid manufacture including hydrochloric, nitric, picric, sulphurous and sulphuric acids
 5. Bone distillation
 6. Blast furnace
 7. Butane and propane manufacture or storage
 8. Cement, lime, gypsum or plaster of paris, manufacture of grinding
 9. Creosote manufacture or treatment
 10. Coke oven
 11. Distillation of coal tar, petroleum, refuse, grain or wood
 12. Drilling, production or refining, of petroleum or inflammable liquids
 13. Drop forge plant
 14. Fat rendering
 15. Fertilizer manufacture, except the cold compounding of non-odorous materials
 16. Foundry
 17. Gunpowder, fireworks or other explosives, manufacture or storage except as incidental to a permitted use
 18. Garbage, offal, dead animal, refuse, rancid fats: incineration, reduction or storage
 19. Glue, size or gelatin manufacture, where the processes used include the refining or recovery of products from fish, animal refuse or offal

20. House wrecking yards, used building material yards
21. Junk yards, automobile wrecking yards
22. Paper and pulp mills
23. Pyroxlin and pyroxlin product manufacture
24. Rubber manufacture from raw materials
25. Sewage disposal plants
26. Smelting or refining of metals or ores
27. Steel manufacture by Bessemer, open hearth or other process
28. Steel mill, rolling mill, blooming mill
29. Stock yards or feeding pens
30. Tanning, curing or storage of raw hides or skins, except as incidental to taxidermy
31. Tallow, grease or lard manufacture or refining from animal fat
32. Automobile body plant
33. Arsenal
34. Asphalt storage, liquid or solid
35. Boiler works
36. Bag cleaning
37. Butane and propane, manufacture and storage
38. Bulk storage of petroleum and petroleum products
39. Cotton gin or cotton oil mill
40. Canning or compressing
41. Concrete batching or transit mix plant
42. Cotton baling or compressing
43. Enameling plant
44. Extraction of animal or fish, fats and oils
45. Electric power plant
46. Feed grinding or processing
47. Fertilizer manufacture limited to cold compounding non-odorous materials
48. Flour mill
49. Galvanizing plant
50. Gas holder
51. Grain elevator and storage
52. Gravel crushing, screening and washing
53. Grain mill
54. Hair factory
55. Iron or steel fabrication plant
56. Livestock auction sales
57. Metal stamping and pressing
58. Oil compounding or barrelling
59. Oil reclamation plant
60. Oil well equipment, service and supplies
61. Potash works
62. Paving plant
63. Quarry or stone mill
64. Railroad round house
65. Rock, sand, gravel or soil, excavation, removal, distribution, crushing, screening
66. Radium extraction
67. Slag crushing or dump

- 68. Salt works
- 69. Salvage store and yard
- 70. Sand blasting
- 71. Septic tank service
- 72. Stone cutting, monument works
- 73. Storage or poisonous gases and insecticides
- 74. Saw mill
- 75. Shipbuilding or shipyard
- 76. Sugar refining
- 77. Tire and rubber products manufacture
- 78. Wool pulling or scouring
- 79. Vegetable oil manufacture, refining, storage
- 80. Yeast plant
- *81. Dredging base
- **82. Dump or disposal area for refuse, junk, organic materials or garbage.

- 3. Other uses not prohibited by this Resolution and not included under Paragraph 2 above.
- 4. Accessory uses and structures, including living quarters accessory to a permitted use.

SECTION 28.3 USES PROHIBITED

- 1. Dwellings except as accessory to a permitted use.
- 2. Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalow courts.
- 3. Institutions for the housing, care or treatment of sick, indigent, aged, adolescent or other persons.

SECTION 28.4 HEIGHT

No building or structure or part thereof shall be erected or altered to a height exceeding 150 feet.

SECTION 28.5 PLOT SIZE

Every plot utilized for a use first permitted in an M-3 District shall not be less than 200 feet in width and 20,000 square feet in area.

SECTION 28.6 YARDS

Every plot shall be provided with yards required under Sections 3.33 and 3.26.

*Effective 3/13/59
 **Effective 5/13/60

ARTICLE XXIX SPECIAL DISTRICT REGULATIONS

*SECTION 29.1 COMMERCIAL VEHICLE PARKING

A. The following regulations shall apply to the parking or storage of commercial vehicles on private residentially-zoned property.

1. In all Residential Districts:

No commercial vehicle bearing a Florida "CV" license plate, or which would require a "CV" license plate if licensed in the State of Florida, shall be parked or stored on any private property located in an R-1A, R-1B, R-1C, R-1T, R-2, R-3, R-4, R-5, R-6, or T-1 District.

2. Permitted Non-Residential Uses:

Permitted non-residential uses may utilize and park on their premises such commercial or other vehicles as may be necessary and customary for such uses, but this provision shall not be construed to permit the parking or storage of school buses for private or parochial schools.

B. Commercial vehicles, other than those accessory to a permitted use, shall not be parked or stored on any property located in a B-1, B-2, B-2A or B-3 District.

SECTION 29.2 COMMERCIAL BUSINESS IN PRIVATE GARAGE

No commercial business concerned with motor vehicles shall be conducted in a private or community garage. Space in a private or community garage shall not be leased for storage or use by a commercial vehicle.

SECTION 29.3 JUNK YARDS

The following regulations shall apply to all junk yards:

1. The area of land to be so used shall not be less than 20,000 square feet nor more than 100,000 square feet.

2. No automobile or vehicle not in running condition, nor machinery or other junk or scrap shall be located either for storage or dismantling, within 300 feet of any residence district, within 50 feet of the front street line nor within 30 feet of any side street line or other property line of the plot to be so used.

3. The entire area occupied by a junk yard shall be surrounded by a substantial, continuous masonry, wooden or metal fence or wall 8 feet in height without openings except for entrance and exit, which openings shall be equipped with unpierced gates.

*Effective 5/13/60

SECTION 29.4 HOUSE TRAILERS

The following regulations shall apply to house trailers:

1. A house trailer shall not be considered to be permissible as an accessory building.
2. No person shall park store or occupy a house trailer for living purposes except:
 - a. In an approved trailer park.
 - b. On property which is zoned agricultural and which is used primarily for agricultural purposes, and where the use of the house trailer is accessory to such agricultural use.
 - c. For a period not in excess of six months on property for which a building permit for the construction of a permanent dwelling has been obtained, which construction is actively carried forward to completion within the aforesaid six months.
 - *d. On property which is zoned R-1T a house trailer may be occupied as a single-family dwelling, provided the plot conforms to all of the requirements of the Zoning Resolution.
3. A house trailer may be used as a temporary office or shelter incidental to construction on, or development of the premises on which the trailer is located.
4. Except as hereinbefore provided no house trailer shall be parked or stored on residentially-zoned property except in a garage or other accessory building.

SECTION 29.5 MOVING OF BUILDINGS

No building or structure shall be moved from one plot or premises to another unless such building or structure shall thereupon be made to conform with all the provisions of this Resolution relative to buildings or structures hereafter erected upon the plot or premises to which such building or structure shall have been moved.

SECTION 29.6 VEHICULAR DRIVEWAYS

Wherever vehicular entrances and exits are involved, the number, size and distance apart of entrances and exits and the specific design thereof shall comply with the established standards and requirements of the State Road Department where a State or Federal highway is affected, and with the standards and requirements of the Broward County Engineer in the case of all County Roads or local streets. Where both State and County Roads are involved the higher standards shall apply.

*Effective 3/13/59

*SECTION 29.7 GRADE OF BUILDINGS

The top surface of all floors of residential buildings shall be not less than 18 inches, and of non-residential buildings shall be not less than 6 inches, above the highest point of the crown of all streets adjacent to the plot upon which such buildings are located, except that in cases where topographical conditions are such that, in the opinion of the County Engineer's Department, or of the Broward County Health Department, compliance would be impracticable or would cause grade level conditions which would be detrimental to adjacent or nearby property, the Director of the Building and Zoning Department may modify the application of this requirement in accordance with specifications as approved by said Engineering and Health Departments.

*Effective 6/10/60

ARTICLE XXX SERVICE STATIONS

The following regulations shall apply to the location, design, construction, operation and maintenance of service stations:

SECTION 30.1 SIZE OF PLOT

A plot to be occupied by a service station shall be not less than 100 feet in width and 100 feet in depth.

SECTION 30.2 LOCATION OF SERVICE STATIONS

1. DISTANCE BETWEEN SERVICE STATIONS:

There shall be a minimum distance of 750 feet shortest airline measurement, between the nearest points on any two plots occupied or to be occupied for service station purposes on the same side of a street upon which both such plots abut. Provided, however, the County Commission may, after public hearing, approve the use of a plot for service station purposes less than the aforesaid 750 foot distance from another plot occupied by a service station, if the plot for the proposed service station use is located on a corner at the intersection of two or more streets and the Commission finds such service station use to be consistent with the proper development of the nearby property on the streets involved, with the safe and satisfactory movement and control of traffic at the intersection, and with the spirit and purpose of the Zoning Resolution.

2. DISTANCE TO PUBLIC PLACE:

There shall be a minimum distance of 250 feet, shortest airline measurement, between the nearest points on any plot to be occupied for service station purposes and any plot occupied for a church, playground, playfield, hospital, elementary or high school.

SECTION 30.3 CLEARANCES REQUIRED

1. Gasoline pumps shall be located not less than 12 feet from any street line and not less than 10 feet from any other property line.
- *2. No gasoline pump shall be located within 25 feet of any property which is residentially zoned.

SECTION 30.4 PROTECTIVE WALL

There shall be a masonry wall or masonry fence of good quality and decorative design, which shall effectively screen against direct view and which shall be properly maintained, on all property lines other than street lines, of a plot occupied as a service station. Such wall or fence shall be 3 feet 6 inches in height

*Amended 3/13/59

and shall be continuous and unpierced, except that on an alley line there may be a 3 foot opening which is closed by a substantial gate when the opening is not in use.

The above described wall or fence shall not be required where the plot abuts non-residentially-zoned property provided a proper waste receptacle is maintained and used which effectively conceals refuse and rubbish from public view.

SECTION 30.5 DRIVEWAYS

There shall be not more than two driveways for entrance and exit to a service station for each 100 feet, or major fraction thereof, of plot frontage on any street. Driveways shall be not over 42 feet in width at the street line and there shall be at least 10 feet of landscaped area between any two driveways. Measured along the street line, driveways shall be at least 10 feet from a private property line or alley line. On a corner plot all driveways shall be at least 10 feet from the intersection of the street lines or from the intersection of the street lines produced.

SECTION 30.6 LIGHTING

All lights and lighting on a service station shall be so designed and arranged as to not cause a direct glare into residentially-zoned property.

ARTICLE XXXI ALCOHOLIC BEVERAGE ESTABLISHMENTS

The following regulations shall apply to the location, design, construction, operation and maintenance of all places or establishments where alcoholic beverages are sold or dispensed, and shall be in addition to other requirements or limitations of this Resolution:

SECTION 31.1 SEPARATION REQUIREMENTS

1. Places for sale and/or consumption of liquor, beer or wine, package liquor store, cocktail bars, saloons and night clubs, all of which are hereinafter called establishments, shall be subject to the following locational limitations and requirements.
 - a. Any of these establishments shall be located at least 2500 feet from any other establishment. The required 2500 foot minimum separation shall be measured from the nearest point of one establishment to the nearest point of the other establishment in a straight line.
 - b. Any of these establishments shall be located at least 2500 feet from an elementary or high school, either public, private or parochial. The required 2500 foot minimum separation shall be measured from the front or main entrance door of the establishment to the nearest point of the church structure in a straight line.
 - c. Any of these establishments shall be located at least 2500 feet from a church. The required 2500 foot minimum separation shall be measured from the front or main entrance door of the establishment to the nearest point of the church structure in a straight line.
 - d. The minimum separation requirements of sub-paragraphs a, b, and c above may be modified and a lesser separation may be authorized and approved by the County Commission in specific cases where the County Commissioners finds such lesser separation will be proper and adequate for protection of the public morals, safety and welfare, and in accordance with the spirit and purpose of the Zoning Resolution.
2. The separation requirements and limitations specified under Paragraph 1 above shall not be applicable to establishments, for the sale of alcoholic beverages for consumption on or off the premises which conform to the following:
 - a. The establishment is part of and inside of a hotel having more than 50 guest rooms and the entrance to the establishment is from within the hotel with no outside direct entrance to the establishment.

- b. For the establishments listed under sub-paragraph a, above there shall be no show window, display, sign or other indication of the existence or location of the establishment visible from the exterior of the building other than a lounge sign and/or a sign indicating dancing and entertainment. There shall be no bar, cocktail, beer, wine, liquor or similar sign visible from the exterior of the building.
- c. Private clubs where only members and their guests are served and there are no indications on the exterior of the building that alcoholic beverages may be served therein.
- d. Night Clubs shall be subject to the separation requirements specified under Paragraph 1 above, from schools and churches, but shall not be subject to a separation requirement from any other establishment, if conforming to sub-paragraph a above.

SECTION 31.2 BEER AND WINE PACKAGE STORES

There shall be no separation requirement or limitation applicable to the location of places for the sale of beer and wine for consumption off the premises.

SECTION 31.3 APPLICATION TO NEW CHURCHES, SCHOOLS

Where an establishment as defined under Section 31.1, Paragraph 1 is located and begins operation in conformity with the separation requirements applicable at that time, the subsequent locating of a school or church within 2500 feet of such existing establishment shall not be construed to put such existing establishment in violation of this Article.

ARTICLE XXXII SIGN REGULATIONS

SECTION 32.1 SCOPE

The provisions of this Article shall govern the number, size, location and character of all signs which may be permitted either as main or accessory use under the terms of this Resolution. No signs shall be permitted on a plot either as a main or accessory use except in accordance with the provisions of this Article.

SECTION 32.2 SNIPE SIGNS

Snipe signs shall not be permitted at any location within the unincorporated areas of Broward County.

SECTION 32.3 POLITICAL SIGNS

No political signs, advertisements, handbills, snipe signs or billboards shall be placed on property owned or used by Broward County or by other governmental agencies or units in the unincorporated areas of Broward County.

SECTION 32.4 CLEAN SIGN MATTER REQUIRED

No sign of any character, including any sign advertising the exact nature and kind of business conducted on the premises, shall be permitted for the exhibition, by posting, painting or in any manner displaying of any statement, word, character or illustration of any obscene, indecent or immoral nature.

SECTION 32.5 ADVERTISING SIGNS PROHIBITED

Advertising signs of any type or size shall not be permitted as a main or accessory use in any zoning district except as provided in this Article for A-1, B-2, B-2A, B-3, C-1, M-1, M-2 and M-3 Districts.

SECTION 32.6 SIGNS IN A-1 DISTRICTS

The following regulations shall apply to all signs on a plot in an A-1 District:

1. Service signs and advertising signs shall be permitted, subject, however, to the provisions of this Section and Section 32.19.
2. There may be one non-illuminated sign on a dwelling unit indicating the name of the occupant and a permitted home occupation, such sign being a wall or ground sign not exceeding 12 square feet in area.
3. There may be one identification sign for each farm, ranch, grove, nursery or other permitted agricultural use, such sign not exceeding 32 square feet in area for each 500 feet,

or major fraction thereof, of street frontage of the property involved.

4. There may be a bulletin board not exceeding 32 square feet in area for each church, hospital, club, library, museum, institutional or public building or publicly-owned or operated use, in addition to an identification sign not exceeding 32 square feet in area. The uses listed herein may each have one combination vertical and roof sign, not exceeding 100 square feet in total area, 5 feet in projection beyond the wall or 10 feet in height above the roof.
5. There may be directional signs on a plot, none of such signs to exceed 12 square feet in area.
6. There may be trespassing or caution signs on a plot, none of such signs to exceed 12 square feet in area.
7. No ground sign shall exceed 25 feet in over-all height above the ground or grade of the adjacent road, whichever may be higher.
8. Where special approval is given to a use pursuant to Paragraph 17 of Section 11.2, such approval may also include signs of such type, size, number and location as the County Commission may find appropriate for the particular use and consistent with the existing and probable future character of the surrounding territory, in addition to signs otherwise permitted under this Section.

SECTION 32.7 SIGNS IN R-1 DISTRICTS

1. The following signs shall be permitted on a plot in an R-1A, R-1B, R-1C, or R-1T District.
 - a. One non-illuminated real estate sign not over 6 square feet in area advertising the sale or rental of the premises upon which it is located. Such sign shall be a wall or ground sign.
 - b. One non-illuminated wall or ground sign not over 2 square feet in area to prohibit trespassing, for safety or for caution.
 - c. On a plot containing a permitted non-residential use, other than an accessory use, there may be one identification wall sign not over 12 square feet in area and one bulletin sign not over 32 square feet in area, on each street side.
 - d. Two non-illuminated, subdivision or project, ground signs each having an area not over 128 square feet will be permitted on a subdivision while under development to advertise the sale of lots or new houses, provided such subdivision has an area of at least 3 acres.

- e. No sign shall be of the animated roof or projecting type. The overall height of any ground sign shall not exceed 4 feet above the ground, except that a bulletin sign or subdivision sign may extend to a maximum height of 12 feet above the ground.

SECTION 32.8 SIGNS IN R-2 DISTRICT

The following signs shall be permitted on a plot in an R-2 District.

1. Signs as permitted in Section 32.7.

SECTION 32.9 SIGNS IN R-3 DISTRICT

1. The following signs shall be permitted on a plot in an R-3 District.
 - a. Signs as permitted in Section 32.7.
 - b. One non-illuminated identification wall or ground sign not exceeding 6 square feet in area for a rooming house.
 - c. One wall sign not exceeding 32 square feet in area on each street side, to identify a multiple dwelling or other permissible use.
 - d. One wall or ground sign not over 6 square feet in area to advertise a doctor, dentist, nursery school or child care center.
2. No sign shall be of the animated, projecting or roof type. Ground signs permitted in Sub-paragraphs b and d shall not exceed 5 feet in over-all height above the ground.

SECTION 32.10 SIGNS IN R-4 and R-4A DISTRICTS

The following signs shall be permitted on a plot in an R-4 and R-4A District.

1. Signs as permitted in Section 32.9.
2. A wall sign not over 64 square feet in area to identify a permissible use.
3. Such signs as may be approved by the County Commission as part of the development plan of a planned housing project in any R-4A District, in addition to signs otherwise permitted under this Section.

SECTION 32.11 SIGNS IN R-5 and R-6 DISTRICTS

The following signs shall be permitted on a plot in an R-5 or R-6 District:

1. Signs as permitted in Section 32.10.
2. Where the main use of the premises is a hotel, motel, apartment, villas, bungalow court or any combination thereof, the following signs shall be permitted to advertise such main use.
 - a. One ground sign which may have two faces each not over 300 square feet in area, not over 25 feet in overall height above the ground. Such a sign may be located in a required front yard or street side yard, but shall not extend nearer than 10 feet to any street line or base building line.
 - b. A pylon sign, which may have two faces each not over 300 square feet in area, and not extending more than 25 feet above the roof line of the main building.
 - c. A combination vertical and roof sign which shall not exceed a total area of 400 square feet on either face or a height of 15 feet above the roof line for a one story building, and a total area of 800 square feet on either face or a height of 30 feet above the roof line for a building over one story in height. Such signs shall not project more than 4 feet beyond the building wall.
 - d. A wall sign not exceeding 400 square feet in area for a one story building, with an additional 100 square feet of area permitted for each story above the first story.
3. One wall sign not over 32 square feet in area may be used to advertise the special accessory uses permitted in Section 17.2, Paragraph 1.

SECTION 32.12 SIGNS IN T-1 DISTRICTS

The following signs shall be permitted on a plot in a T-1 District:

1. Directional signs, each of which shall not exceed 12 square feet in area.
2. Trespassing and warning signs, each of which shall not exceed 12 square feet in area.
3. One ground sign which may have two faces each not over 150 square feet in area, and not exceeding 20 feet in overall height above the ground.
4. One wall sign, not exceeding 50 square feet in area, on an accessory building as permitted in Section 19.3.

SECTION 32.13 SIGNS IN B-1 DISTRICTS

1. The following signs shall be permitted on a plot in a B-1 District:

- a. Signs as permitted in Section 32.10.
 - b. Ground signs each not over 100 square feet in area and not exceeding 12 feet in overall height above the ground.
 - c. Wall signs not exceeding 20% of the area of the wall upon which they are placed.
 - d. Marquee signs, provided such signs shall not extend beyond the marquee and shall not exceed 4 feet in height.
 - e. Combination vertical and roof sign, provided that such signs shall not exceed 100 square feet in area, shall not extend more than 4 feet from the building wall and shall not extend more than 5 feet above the roof.
2. No advertising, animated, projecting or roof signs shall be permitted in a B-1 District except as specified in Sub-paragraph 1 (e) above.
 3. The aggregate area of all signs on any buildings or premises shall not exceed 4 square feet in area for each foot of frontage of the buildings displaying such signs, or 2 square feet for each foot of frontage of the property occupied by such buildings or devoted to such use, whichever is the greatest.
 4. No signs shall be placed within 50 feet of any residentially zoned property in an R-1A, R-1B, R-1C, R-1T, R-2, R-3, R-4, or R-4A District.

SECTION 32.14 SIGNS IN B-2 DISTRICTS

The following signs shall be permitted on a plot in a B-2 District:

1. Signs as permitted in Section 32.13.
- *2. Wall, ground, roof and pylon signs, provided that the maximum height of a roof sign above the roof shall not exceed either 25 feet above the roof or the height of the building above the ground, and no roof sign shall obstruct light or air of adjacent property.
3. Marquee signs.
4. Combination vertical and roof signs, provided that such signs shall not exceed 200 square feet in area for a one story building plus an additional 50 square feet of area for each story above the first story, shall not extend more than 4 feet from the building wall and shall not extend more than 15 feet above the roof.

*Amended 3/13/59

5. Advertising signs subject to Section 32.19.
6. No sign shall be placed within 50 feet of any residentially-zoned property in an R-1A, R-1B, R-1C, R-1T, R-2, R-3, R-4 or R-4A District. No ground sign shall exceed 25 feet in overall height above the ground.

SECTION 32.15 SIGNS IN B-2A DISTRICT

The following signs shall be permitted on a plot in a B-2A District:

1. Signs as permitted in Section 32.14.
2. Signs of such character, size, and location as may be approved by the County Commission as part of a development plan pursuant to Section 23.5 in addition to signs otherwise permitted under this Section.

SECTION 32.16 SIGNS IN B-3 DISTRICTS

The following signs shall be permitted on a plot in a B-3 District:

1. Signs as permitted in Section 32.14.
- *2. Roof signs provided that the maximum height of a roof sign above the roof shall not exceed either 25 feet above the roof or the height of the building, and no roof sign shall obstruct light or air to adjacent property.
3. Vertical projecting signs extending not over 5 feet beyond the wall.
4. Advertising signs subject to Section 32.19.

No sign shall be placed within 50 feet of any residentially-zoned property in an R-1A, R-1B, R-1C, R-1T, R-2, R-3, R-4, R-4A District. No ground sign shall exceed 25 feet in overall height above the ground.

SECTION 32.17 SIGNS IN C-1 DISTRICTS

1. Signs as permitted in Section 32.16.

*Amended 3/13/59

SECTION 32.18 SIGNS IN M-1, M-2 and M-3 DISTRICTS

1. Signs as permitted in Section 32.16.

SECTION 32.19 ADVERTISING SIGN REGULATIONS

Advertising signs, where permitted, shall be subject to the following limitations and requirements:

1. HEIGHT: The top of any such signs shall not be higher than 25 feet above the grade of either the plot or the nearest street right-of-way, whichever may be higher, and in no case shall double-decker signs be permitted.
2. SPACING: No advertising sign shall be nearer than 500 feet in an A-1 District, or 300 feet in any other District, to another advertising sign along the same side of a common right-of-way, except as hereinafter provided. (Two or more advertising signs may be grouped back to back, or in a single "V" having an included angle not greater than 30°, at a single location.) The aggregate area of such signs at a single location facing generally in either direction shall not exceed 500 square feet and any such grouping of signs shall not exceed 50 feet in length. (These limitations on spacing shall not apply to wall signs each of which is not over 32 square feet in area.)
3. SIZE: No advertising sign shall exceed 50 feet in length or 500 square feet in area.
4. SEPARATION:
 - a. No advertising signs shall be located or placed so as to face a plot on the same street, occupied by a church, public school, public park or playground, beach, civic or scenic area, or cemetery, nor nearer to such uses than 200 feet along a common right-of-way line.
 - b. No advertising sign shall be located in any required yard or setback area. No advertising sign shall be located so that any part of such sign extends nearer to a street line than any building on contiguous property, which building is within 100 feet of such sign.
 - c. No advertising sign shall be located closer than 30 feet to the intersection of any two street lines.
 - d. No advertising sign shall be located nearer than 50 feet to any residential zone measured along a common right-of way.

- *e. No advertising sign shall be located within 660 feet of the right-of-way of the Sunshine State Parkway, except as hereinafter specified, provided, however, that this requirement shall not apply to advertising signs erected prior to June 20, 1958.

Advertising signs conforming to all applicable provisions of the Zoning Resolution may be erected within 660 feet of the right-of-way of the Sunshine State Parkway if such signs are placed on property abutting a street which crosses the Parkway and are located within 100 feet of the right-of-way of such street.

SECTION 32.20 STRIP LIGHTING

1. Strip lighting used solely to outline a structure except sign structures, or any part thereof shall be considered to be and shall be regulated as a form of advertisement. Strip lighting as above defined shall be regulated by the provisions of this Section and shall not be construed to be subject to other limitations of this Article for area, size, character or number of signs.
- **2. Strip lighting shall be prohibited in R-1A, R-1B, R-1C, R-1T, R-2, R-3, R-4, R-4A and T-1 Districts.
3. In the R-5, R-6, B-1, B-2 and B-2A Districts, strip lighting shall be limited to a total footage equivalent to the length (or width) of the building along the street frontage (including any offset thereof). The size of the tubing shall not exceed 15 millimeters (15 mm) and any transformer for strip lighting shall not be larger than 30 milamperes (30 MA).
4. In the B-3, C-1, M-1, M-2 and M-3 Districts, strip lighting shall be limited to a total footage equivalent to twice the length (or width) of the building along the street frontage (including offsets thereof). Size of the tubing and transformer shall not be limited.
5. Neon strip lighting and/or streamer lights shall be prohibited above the roof level of any building, except as part of a permitted roof sign.

SECTION 32.21 ILLUMINATION OF SIGNS

Neon-type signs shall be prohibited in the R-1A, R-1B, R-1C, R-1T, R-2, R-3, R-4 and R-4A Districts. All signs permitted under this Article may be illuminated except where specifically permitted as non-illuminated signs.

* Effective 12/18/59
**Amended 3/13/59

SECTION 32.22 BUS BENCHES

Benches or shelters containing advertising and located on private property shall comply with all zoning regulations applicable to signs.

SECTION 32.23 NON-CONFORMING SIGNS

All non-conforming advertising signs, except as provided in Section 32.19, Paragraph 4 (e), shall be removed, or shall be altered so as to conform to the provisions of this Article, within 3 years of the effective date of these regulations.

SECTION 32.24 TEMPORARY CONSTRUCTION SIGNS

Temporary construction project ground signs may be erected on premises upon which there is an active building program underway, subject to the following limitations and requirements, provided such signs shall not advertise the sale of the property upon which they are located:

1. In R-1A, R-1B, R-1C, R-1T and R-2 Districts, one such sign not exceeding 32 square feet area may be erected on each street side upon which the plot abuts.
2. In all other zoning districts, a single sign of not more than 500 square feet area will be permitted for each street front, each such sign not to exceed 25 feet in overall height above the ground or grade of the adjacent road, whichever is higher.
3. Such signs shall not be erected more than 60 days prior to beginning of actual construction of the project and shall be removed when construction is completed.
4. If a sign is erected as permitted hereunder, and if construction is not begun within 60 days after sign is erected or if such construction be not continuously and actively prosecuted to completion, said sign shall be removed.
5. No sign permitted under this Section shall be located closer than 15 feet to any private property lines.

*SECTION 32.25 SIGNS IN S-1 DISTRICTS

The following regulations shall apply to all signs on a plot in an S-1 District:

1. Signs shall be permitted of such character, size and location as may be approved by the County Commission as part of a Development Plan pursuant to Section 19.13.
2. Directional trespassing or caution signs shall be permitted, each of which shall be not over 16 square feet in area. Such

*Effective 6/12/59

signs may be of any type provided that no part of any such sign shall extend more than 6 feet above grade.

3. No signs shall be advertising or animated signs.
4. No strip lighting shall be permitted.

ARTICLE XXXIII EXCAVATION REGULATIONS

The following regulations shall govern excavations and the filling of excavations:

SECTION 33.1 DEFINITION

For the purposes of this regulation, EXCAVATION shall mean the digging, stripping or removal by any process of natural materials or deposits from their natural state and location, said materials and deposits to include rock, stone, minerals, shell, sand, marl, muck and soil, but not including sod. Excavation as used herein shall not include digging for foundations, fences, structures or incidental to construction work, wherein no materials are removed from the premises except surplus not required for back-fill or grading of the premises. Excavation shall not include the creation of canals, waterways, and lakes incidental to real estate subdividing and development.

SECTION 33.2 PERMITS

A permit for new excavations shall be obtained from the Building and Zoning Department of Broward County.

1. The permit holder shall be entitled to renewal without the requirement of a public hearing or waivers of oppositions, as long as these regulations and other conditions of the permit are complied with.
2. The approval of the County Commission must be obtained before a permit for excavation can be issued.
3. In passing upon any request for approval on the issuance of an excavation permit, the County Commission shall be guided by and consider the public health, safety and general welfare and particular consideration shall be given to the following factors:

Soil erosion by wind and water, drainage, lateral support, slopes and grades of abutting streets and lands, present use of subject property and surrounding areas, future use and development of subject property and surrounding area, and such other factors as may be related to the appropriate, harmonious, and coordinated development of the County.
4. After an original permit for an excavation has been issued with the approval of the County Commission the Enforcing Officer shall issue a renewal permit for the continuance of the excavation in accordance with the original permit and plans, where the work has been conducted in accordance with such plans and with these regulations.

5. Within 30 days after this Resolution is adopted, owners or operators of existing excavations shall submit to the Enforcing Officer a plat showing their presently owned property adjacent to and forming a continuous property with the existing excavation area. The plat shall also show future right-of-way lines and the final limits to which the owner or operator plans to carry excavations in said property. Such plats are to be kept for record, and the excavations indicated thereon will be exempt from the requirements of these regulations, with the following exceptions:
 - a. The owners or operators of excavations existing at the time this Resolution is adopted shall apply for an excavation permit within 30 days after this Resolution is officially adopted. The Building & Zoning Department shall issue the initial permit upon the approval of the County Commission.
 - b. Section 33.7 "Location" and Section 33.8 "Protection" shall apply to excavations existing at the time this Resolution is adopted.
6. Yearly renewals of the Excavation Permit shall be granted to the owners and operators of excavations existing at the time this resolution is adopted, provided the applicable requirements are complied with.
7. Any extension, beyond the excavation limits shown in each plat required by Paragraph 5 of Section 33.2 to be filed with the Building & Zoning Department, shall be treated as a new excavation and shall, therefore, be subject to the full requirements of these regulations.
8. Where excavation has been discontinued for a period of 6 months or more, or has been abandoned, any renewal or resumption of excavation shall be required to be subject to a permit for a new excavation, and the issuance of such a permit shall be subject to all the requirements of this Article for a new permit.

SECTION 33.3 HEARINGS FOR PERMITS

1. Applications for permits for new excavations shall be subject to hearing before the County Commission. Such hearing may be waived by the County Commission when the owners of all property within 1000 feet of the proposed excavation subscribe to a waiver of objections to such excavation.
2. Hearings shall not be required in connection with the issuance of a permit for the continuance or extension of an excavation which has already had a permit and when the continuance or extension of the excavation is pursuant to and not contrary to the original permit.

3. The property shall be staked along the property line and the top slope line in the portion of the final perimeter to which the excavation extends during the period covered by the yearly permit in effect, in a manner satisfactory to the Enforcing Officer. Stakes shall be maintained in proper fashion during said period so that the limits of excavation slopes and grade levels in said portion of the final perimeter may be easily determined and verified.
4. During the entire operation, dynamite shall not be used except in accordance with State Regulations.
5. The hours of operation shall be controlled by the Enforcing Officer, except that operations shall be permitted between the hours of 7:00 A.M. and 6:00 P.M. on weekdays. Night and Sunday operations to be permitted only if not objectionable in the opinion of the Commission.
6. Every owner and/or operator of any excavation shall be insured to the extent of One Hundred Thousand Dollars (\$100,000.00) against liability arising from any activities or operations incidental to excavation carried on or conducted pursuant to any permit or approval given for such excavation by Broward County.
7. All excavation access roads shall be well sprinkled to minimize dust, provided such sprinkling shall not be required 500 feet or more from a public street or highway.

SECTION 33.10 CLEANING UP AND REHABILITATION

1. Upon completion of the Project, the property shall be dressed up so that it will be left in a presentable condition meeting with the approval of the Enforcing Officer.
2. The perimeter of the excavation shall be backfilled and graded to meet with the approval of the Enforcing Officer, PROVIDED that a slope of one foot vertical shall be maintained for each three feet horizontal from the perimeter into a minimum depth of five feet of water at low water elevation.
3. Whenever excavation operations on any property shall have been completed, abandoned or permanently discontinued, then all plants, buildings, structures, (except fences) and equipment shall be entirely removed from such property and all stockpiles, topsoil, refuse or waste materials shall be removed, redistributed on the premises or backfilled within the pit, within one year after such completion. PROVIDED, however, that the provisions of this paragraph shall not apply to any plants, buildings, structures, equipment or stockpiles whenever and so long as any rock, gravel or other materials shall be available from other properties for processing by or through any such plats, buildings, structures or equipment.

4. These provisions shall not apply to any portion of an existing excavation which was in existence at the time of the passing of these regulations.

SECTION 33.11 FILLING OF EXCAVATIONS

Excavations may be filled if permit is obtained from the Building and Zoning Department, subject to the following conditions:

1. Applicant for permit and owner of property shall comply with such terms and conditions as may be required by the Enforcing Officer and Health Director. Such conditions may be such, but not be limited to, that they might cause objectionable odors or which might cause the operation to be detrimental to the health, safety and general welfare of the adjacent neighborhood and which will prevent promiscuous dumping by unauthorized persons.
2. That a top dressing consisting of not less than one foot of clear fill shall be provided as may be required by the Enforcing Officer, so that the property shall be in a clean, presentable and sanitary condition.
3. That the owner of the property, and, when deemed desirable, by the Enforcing Officer to protect public health, safety and welfare, the operator, shall post a bond in such amount as may be determined by the Enforcing Officer as necessary to insure compliance with the terms and conditions as may be established for the filling permit.
4. No permit shall be issued for, or excavation or other area filled with refuse, debris, junk, organic material or garbage without the approval of the Commission. Before granting any such approval, the Commission shall obtain a report and recommendation on the proposed filling from the Zoning Board, after said Board has held a public hearing on the proposal.

Revise Section 33.11, Paragraph 4, to read as follows:

4. No permit shall be issued for filling, or excavation or other area filled, with refuse, debris, junk, organic material or garbage without the approval of the County Commission as provided in the Zoning Resolution for A-1 Districts and M-3 Districts.

Effective 9/16/60

ARTICLE XXXIV ADMINISTRATION

SECTION 34.1 ENFORCEMENT

The Building and Zoning Department of Broward County and all officers, inspectors and employees, thereof, shall enforce the provisions of this Zoning Resolution.

SECTION 34.2 PERMITS NOT TO BE ISSUED

No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof, or for the use of any land or water, which is not in conformity with all the provisions of the Zoning Resolution.

No license or permit shall be issued by the Building and Zoning Department or by any department, agency or official of Broward County for the use of any premises or the operation of any business, enterprise, occupation, trade, profession or activity which would involve in any way, or constitute, a violation of the Zoning Resolution.

SECTION 34.3 PLOT PLAN

All applications for building permits shall contain, or be accompanied by, a plot plan in duplicate drawn to scale, showing the actual dimensions of the plot involved in the application, the location of the use proposed and/or the building to be erected or altered, yards and setbacks, and all other uses and buildings on the plot as well as such other pertinent information as may be necessary for the enforcement of the Zoning Resolution.

SECTION 34.4 PERMITS FOR NEW USE OF LAND

No land heretofore vacant shall hereafter be put to use, or an existing use of land be hereafter changed to a new or different use, unless a building permit is first obtained for the new or different use, provided that this requirement shall not apply to agricultural uses of land in an Agricultural District.

SECTION 34.5 PERMITS FOR NEW USE OF BUILDINGS

No building or structure, or part thereof, shall be changed to or occupied by, a use of a different kind, unless a building permit is first obtained for the new or different use.

SECTION 34.6 PERMITS REQUIRED

No building or structure, or part thereof, shall be hereafter erected, altered, moved or repaired unless a building permit shall have first been obtained for such work. The terms "altered" and "repaired" shall include any changes in structural parts, stairways, type of construction, kind or class of occupancy, light or ventilation, means of ingress and egress, or other changes affecting, or

regulated by, the Building Code or this Resolution except for minor repairs of changes not involving any of the aforesaid features.

SECTION 34.7 CERTIFICATES REQUIRED

No building or structure, or part thereof, or premises, which are hereafter erected or altered or changed in occupancy, or land upon which a new or different use is established, shall be occupied or used until a Certificate of Occupancy shall have been issued therefore.

SECTION 34.8 CERTIFICATES FOR EXISTING USES

Zoning Certificates shall be issued for existing buildings, structures, or parts thereof, or existing use of land, if after inspection it is found that such buildings, structures or uses of land are in conformity with the applicable provisions of this Resolution.

SECTION 34.9 TEMPORARY CERTIFICATES

Nothing in this Resolution shall prevent the issuance of a temporary Zoning Certificate for a portion of a building or structure in process of erection or alteration, provided that such temporary Certificate shall not be effective for a period in excess of 6 months, and provided further that such portion is in conformity with this Resolution.

SECTION 34.10 RECORD OF CERTIFICATES

A record of all certificates issued pursuant to the provisions of this Resolution shall be kept on file in the office of the Building and Zoning Department and copies of such certificates shall be furnished upon request to any person having a proprietary or tenancy interest in the property involved.

SECTION 34.11 CERTIFICATES FOR DWELLING ACCESSORY BUILDINGS

Buildings or structures accessory to dwelling shall not require separate Zoning Certificates but may be included in the Zoning Certificate for the dwelling when shown on the plot plan and when completed at the same time as such dwelling.

SECTION 34.12 RECORD OF NON-CONFORMING USES

All non-conforming uses existing at the effective date of this Resolution shall be ascertained, identified and recorded for the purpose of effectuating the provisions of Article VII.

SECTION 34.13 CERTIFICATE FOR NON-CONFORMING USES

No non-conforming uses shall be maintained, continued, renewed, extended or changed unless a Zoning Certificate therefor shall have been issued pursuant to Article VIII.

SECTION 34.14 PROCEDURE ON VIOLATIONS

Where it is found that any of the provisions of this Resolution are being violated, the person responsible for such violation shall be given notice in writing. Such notice shall indicate the nature of the violation and the action necessary to correct or abate the violation. The officers and employees of the Building and Zoning Department shall order discontinuance of the use of land or buildings; removal of buildings, additions, alteration of structures; discontinuance of any work being done; or shall take any and all other action necessary to correct violations and obtain compliance with all the provisions of this Resolution.

SECTION 34.15 DUTIES OF ENFORCERS

The Building and Zoning Department through its officers, inspectors and employees shall be charged with the duty of making inspections, approving plans and specifications, issuing permits and Zoning Certificates, maintaining records of applications, permits and certificates, and taking any and all steps or actions necessary to enforce the provisions of this Resolution.

SECTION 34.16 RIGHT OF ENTRY

For the purpose of enforcing the provisions of this Resolution, the officials and inspectors of the Department of Building and Zoning shall have the right of entry into private property and into private buildings, at any reasonable time, whenever said officials and inspectors find such entry necessary for the proper discharge of their duties under this Resolution. Any person refusing or obstructing such entry shall be guilty of a violation of this Resolution.

SECTION 34.17 ZONING CLERK

The County Commission shall designate a suitable person to be known as the Zoning Clerk, who shall have the following duties:

1. To attend all meetings of the Commission, Zoning Board and Board of Adjustment pertaining to Zoning matters.
2. To have charge of and maintain the files and records of the Zoning Board and Board of Adjustment.
3. To receive petitions for zoning amendments, requests for special approvals and special exceptions, applications for consideration by the Zoning Board and Board of Adjustment and appeals to the Board of Adjustment.
4. To issue notices of hearings and other notifications required of the Commission, Zoning Board and Board of Adjustment pursuant to the provisions of the Zoning resolution.

5. To perform such other clerical duties related to their zoning functions as may be required by the Zoning Board, Board of Adjustment and the Commission.

ARTICLE XXXV ZONING BOARD

SECTION 35.1 RULES OF PROCEDURE

The Zoning Board shall draw up and adopt reasonable rules of procedure to govern the conduct of its work not inconsistent with the provisions of this Resolution or other resolutions adopted by the County Commission.

Such rules shall provide for the election of officers, for the time and place of regular meetings, for special meetings, for the agenda of meetings and for the conduct of hearings.

SECTION 35.2 MEETINGS

The Zoning Board shall hold at least two regular meetings each month, and such additional or special meetings as it may find necessary for the proper performance of its duties.

SECTION 35.3 ADVISORY SERVICE

The Zoning Board shall act in an advisory capacity to the Commission and make such studies and investigations, in addition to those required by this Resolution, as may be requested by the Commission.

SECTION 35.4 AMENDMENTS

No change or amendment, relating to the boundaries of the various zoning districts and the regulations applicable thereto, shall be made by the Commission unless the proposal or request for such change has been considered by the Zoning Board, and the Commission has received a recommendation thereon from the Zoning Board.

ARTICLE XXXVI BOARD OF ADJUSTMENT

SECTION 36.1 NOTIFICATION FOR VARIANCES

No variance shall be authorized by the Board of Adjustment upon appeal from the terms of this Resolution unless a public hearing on the appeal has been held by the Board, notice of which hearing has been given as follows:

1. USE VARIANCE: Where the variance is for a use not otherwise permissible in the zoning district in which the variance is requested, all owners of property within 300 feet of the premises for which the variance is requested shall be notified of the hearing.
2. OTHER VARIANCES: Where the variance is for some deviation from the zoning district regulations other than for a use variance, all owners of property within 100 feet of the premises for which the variance is requested shall be notified of the hearing.

SECTION 36.2 NOTIFICATION FOR ERRORS

In connection with appeals where it is alleged there is error in any order, requirement, decision or determination made by any administrative official in the enforcement of this Resolution, notification shall be given to all owners of property directly contiguous to the premises which are involved in the appeal.

SECTION 36.3 NOTIFICATIONS

Where notice to contiguous or nearby property owners is required by this Article in connection with hearings, such notice shall be mailed to such property owner at least 10 days before the date of the hearing. For this purpose the owner of property shall be deemed to be the person who, with his address, is so shown on the tax rolls of the Broward County Tax Collector.

SECTION 36.4 PUBLICATION OF AGENDA

The matters to be considered, and hearings to be held, at meetings of the Board of Adjustment shall be published in a newspaper of general circulation in Broward County at least 10 days prior to each meeting.

SECTION 36.5 REQUIREMENTS FOR VARIANCES

No variance from the terms of this Resolution shall be authorized by the Board of Adjustment unless the Board finds beyond reasonable doubt, that all of the following facts and conditions exist:

1. That there are unique and special circumstances or conditions applying to the property in question, or to the intended use of the property, that do not apply generally to other properties in the same district.

2. That any alledged hardship is not self-created by any person having an interest in the property nor is the result of mere disregard for or ignorance of the provisions of this Resolution.
3. That strict application of the provisions of this Resolution would deprive the applicant of reasonable use of the property for which the variance is sought.
4. That the variance proposed is the minimum variance which makes possible the reasonable use of the property.

SECTION 36.6 CONDITIONS AND LIMITATIONS

In authorizing any variance from the terms of this Resolution, the Board of Adjustment shall include as a part of such variance, any conditions, requirements or limitations which the Board may believe to be necessary and desirable to protect adjacent properties and the surrounding neighborhood, and to carry out the spirit and purpose of this Resolution.

SECTION 36.7 TIME LIMIT

Any variance authorized by the Board of Adjustment shall expire 90 days after the date of action on such variance by the Board unless a building permit based upon and incorporating the variance is issued within the aforesaid 90 day period.

SECTION 36.8 DISTRICT USES NOT LISTED

The Board of Adjustment shall be authorized to permit in a Zoning District, a use which is not listed as a permissible use in such district, when the Board finds such use to be similar in character to a use specifically permitted in such district under the Zoning Resolution, provided such use is not listed as a prohibited use in the particular zoning district nor as a permitted use in a less restricted district. This provision shall not apply to any use for which special approval of the Commission is required.

In the cases covered by this Section a public hearing shall be held by the Board of Adjustment with notifications the same as specified in Section 36.9.

SECTION 36.9 NOTIFICATIONS FOR SPECIAL EXCEPTIONS

In all cases of special exceptions under the terms of this Resolution which the Board of Adjustment is required to hear and decide, all owners of property within 300 feet of the premises for which the special exception is requested shall be notified of the hearing in connection therewith.

*SECTION 36.10 FEE FOR APPEALS

Requests for action by the Board of Adjustment on matters

*Effective 3/13/59

within the jurisdiction of said Board shall be accompanied by a fee of \$25.00 which amount shall be deposited with the Zoning Clerk to cover costs of notifications and studies in connection with the processing of such requests.

*SECTION 36.11 TEMPORARY OFFICES AND SIGNS

The Board of Adjustment is authorized to approve after public hearing, in any zoning district, certain uses on a temporary, limited, and conditional basis as follows:

1. A real estate sales office for the sale of lots and/or new houses located in a subdivision or building project, such office not to be used for the sale or rental of other property or for any other purpose. Signs upon or in connection with such temporary office use shall be subject to the approval of the Board of Adjustment.
2. Ground signs advertising the sale of lots or new houses, provided that no such sign shall exceed 10 feet in overall height above the ground or 200 square feet in area, nor shall such signs be located within 100 feet of any residential structure, provided that the aforesaid 100-foot separation requirement shall not apply to any residential structure used for sales or exhibition purposes.
3. The uses permissible under paragraphs 1 and 2 above shall be limited as to location as follows:
 - a. Such uses shall be located upon the subdivision to which the uses are related or
 - b. Such uses shall be located adjacent to a trafficway and not more than 2500 feet from the subdivision or building project to which they are related.
4. In giving any such approval, the Board shall find that such use is related to, and desirable for, the economy of Broward County, is not injurious to the neighborhood and nearby residences, and is in accord with the spirit and purpose of the Zoning Resolution.
5. Any such approval by the Board shall be for a period not in excess of one year, provided however, the Board may give approval for successive periods, each period not exceeding one year in duration.
6. Any such use which is not instituted, operated, and maintained in full conformity with the terms and conditions of the Board's approval and the provisions of this Section is hereby declared to be an illegal use in violation of the Zoning Resolution and shall be discontinued and removed forthwith.

*Effective 6/10/60

ARTICLE XXXVII AMENDMENTS

SECTION 37.1 GENERAL

Whenever the public necessity, convenience, general welfare or good zoning practice require, the Board of County Commissioners may by resolution amend, supplement or change the regulations, district boundaries or classifications of property, now or hereafter established by this Resolution or amendments thereto.

SECTION 37.2 AREA FOR REZONING

In case of a petition for a change in the zoning of property, the Zoning Board shall consider whether the area described in the original petition should be enlarged in order to reflect the interests of the County and to correspond with the Broward County Plan. The Zoning Board shall study and recommend to the Commission such enlargement, if any, as it may deem desirable.

SECTION 37.3 BOARD INITIATION

The Zoning Board shall carry on a continual study of Zoning, zoning techniques and the relation of zoning to private developments and public improvements and any pertinent parts of any County Plan for the orderly growth of the County, and may from time to time submit recommendations on the amendments of this Resolution.

SECTION 37.4 BASIS FOR RECOMMENDATIONS

In reviewing and formulating recommendations to the Commission on requested or proposed changes in the Zoning Resolution, the Zoning Board shall consider and evaluate the changes in relation to all pertinent factors, including the following:

1. The character of the district and its peculiar suitability for particular uses.
2. Conservation of the value of buildings and encouraging the most appropriate use of land and water throughout the County.
3. The applicable portions of any current County Plans and programs such as Land Use, Trafficways, Recreation, Schools, Neighborhoods, Drainage and Housing.
4. The needs of the County for land areas for specific purposes to serve population and economic activities.
5. Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.
6. The facts and opinions presented to the Zoning Board through hearings.

SECTION 37.5 ACTION BY COMMISSION

If a petition or recommendation for a change or amendment to the Zoning Resolution is not acted upon finally by the Commission within six months of the date upon which the report of the Zoning Board is filed with the Commission, said petition shall be deemed to have been denied.

SECTION 37.6 CONDITIONAL REZONING

No amendment to the Zoning Resolution to rezone property shall contain conditions, limitations or requirements not applicable to all other property in the zoning district to which the particular property is rezoned.

SECTION 37.7 MINIMUM SIZE OF PARCEL

When a parcel of land has less than 200 feet of frontage or less than 40,000 square feet of area, no amendment shall be enacted to change the zoning classification except to the existing zoning classification of a property adjoining said parcel.

SECTION 37.8 LIMIT ON PETITIONS

Whenever the Zoning Board has taken action to recommend denial of a petition for rezoning property, the Zoning Board shall not consider any further petition for the same rezoning of any part of the same property for a period of two years from the date of such action.

Whenever the Zoning Board has taken action to recommend denial of a petition for rezoning of property, the Zoning Board shall not consider a petition for any kind of zoning on any part of the same property for a period of one year from the date of such action.

Whenever the Commission has changed the Zoning of property by an amendatory Resolution, the Zoning Board shall not consider any petition for rezoning of any part of the same property for a period of six months from the effective date of the amendatory resolution.

The above time limits for Zoning Board consideration may be waived by the Commission by the affirmative vote of four Commissioners, when the Commission deems such action necessary to prevent an injustice or to facilitate the proper development of the County.

SECTION 37.9 PROTEST

In case of a protest against any change in the zoning of property, signed by the owners of 50 per cent or more of the area of the property included in such proposed change, or of the area immediately in the rear thereof extending 300 feet therefrom, or of the area directly opposite, thereto, extending 300 feet from the street frontage of such opposite area, any resolution effectuating such change shall not become effective except by a favorable vote of 4 members of the Board of County Commissioners.

SECTION 37.10 PROCEDURE FOR AMENDMENTS

- *1. A petition for rezoning of land may be filed by an owner, or owners, of 75 per cent in area thereof.
2. A petition for a change of district regulations may be filed by any citizen or owner of land in Broward County.
- *3. Petitions for change of zoning or district regulations shall be addressed to the Zoning Board and shall be filed with the Zoning Clerk. Such petitions shall contain or be accompanied by all pertinent information which may be required by the Zoning Board for its proper consideration of the matter, including in the case of petitions for rezoning of land with any improvements located thereon, at least one photograph.
4. After consideration of a petition for a change in zoning classification or in a district regulations the Zoning Board shall transmit the petition and the Board's recommendations thereon to the Commission.
5. No recommendation for a change in zoning district classification or in district regulations shall be made by the Zoning Board to the Commission unless and after a public hearing as hereinafter prescribed has been held by the Zoning Board.
6. Proposals originating with the Commission or initiated by the Zoning Board shall be processed in the same manner as provided for petitions in the preceding paragraphs.

SECTION 37.11 HEARINGS BEFORE ZONING BOARD

1. Notice of hearings before the Zoning Board in connection with changes in zoning district classification, changes in district regulations or special approvals under the Zoning Resolution shall be published in a newspaper of general circulation in Broward County at least 10 days prior to the date of the hearing. Such notice shall specify the time and place of the hearing, and the matter to be considered at such hearing.
2. Petitioners for changes in Zoning Resolution or for special approvals shall be given notice of hearing by letter addressed to such petitioner at the address given in such petitions, and mailed at least 10 days prior to date of hearing.
3. In connection with hearings on petitions for change in the zoning district classification or for a special approval, all owners of property in the area proposed for zoning change, and all owners of property within 300 feet of the land subject to such petition shall be given notice of such hearing by mail. Such notice shall be mailed at least 10 days prior to the date of the hearing. For the purposes of this notification an owner of property shall be deemed to be the person who, with his address is so shown on the tax rolls of the Broward County Tax Collector.

*Effective 1/22/60

***SECTION 37.12 FEE FOR PETITIONS**

Petitions for a change in the Zoning Resolution shall be accompanied by a fee of \$25.00 which amount shall be deposited with the Zoning Clerk to cover cost of notifications and studies in connection with the processing of such petitions.

***Amended 3/13/59**

ARTICLE XXXVIII LEGAL PROVISIONS

SECTION 38.1 INTERPRETATION, PURPOSE AND CONFLICT

In interpreting and applying the provisions of this Resolution they shall be held to be a minimum requirement for the promotion of the health, safety, morals and general welfare of the County. It is not intended by this Resolution to interfere with, abrogate or annul any easements, covenants or agreements between parties, provided, however, that where the regulations on the same point, as contained in any other law or resolution, the provisions of this Resolution shall govern; and where the regulations of the other law, or Resolution are more restrictive than those of this Resolution the other shall govern.

SECTION 38.2 VALIDITY

Should any article, section, paragraph, sentence, clause, phrase or other part of this Resolution be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 38.3 SAVING CLAUSE

Any prosecution arising from a violation of any resolution repealed by this Resolution, which prosecution may be pending at the time this Resolution becomes effective, or any prosecution which may be started within one year after the effective date of this Resolution in consequence of any violation of any resolution repealed therein, which violation was committed prior to the effective date of this Resolution shall be tried and determined exactly as if such Resolution had not been repealed.

SECTION 38.4 REPEAL

All resolutions or parts of resolutions in conflict with this Resolution or inconsistent with the provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect. All resolutions heretofore adopted by the County Commission pursuant to Chapter 25717, Laws of Florida, Acts of 1949 and Chapter 27431, Laws of Florida as amended by Chapter 28952, Laws of Florida, Acts of 1953 are hereby repealed.

SECTION 38.5 VIOLATIONS AND PENALTIES

1. Any person, firm or corporation or anyone acting in behalf thereof, who shall violate or fail to comply with any of the provisions of this Resolution, shall upon conviction be punished as provided by law.
2. Each day that a violation of this Resolution is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this Section.

SECTION 38.6 IMMEDIATE EFFECT

This Resolution is hereby declared necessary for the preservation of the peace, health, safety and welfare of the people of Broward County, Florida, and is hereby made effective June 15, 1958.

BROWARD COUNTY

ZONING AND BUILDING REGULATION ENABLING ACT

Chapter 30613, Laws of Florida, Acts of 1955
As Amended by House Bill 2451, Session of 1959

SENATE BILL NO. 413

AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, TO ADOPT ZONING AND BUILDING REGULATIONS IN THE TERRITORY WITHIN BROWARD COUNTY WHICH IS NOT INCLUDED IN THE CORPORATE LIMITS OF ANY CITY OR TOWN; AND AUTHORIZING AND EMPOWERING SAID BOARD OF COUNTY COMMISSIONERS TO DIVIDE SAID TERRITORY INTO DISTRICTS OR ZONES AND TO REGULATE AND RESTRICT THE USES OF LANDS, BUILDINGS AND OTHER STRUCTURES FOR TRADE, INDUSTRY, RESIDENCE, OR OTHER PURPOSES WITHIN SAID DISTRICTS OR ZONES AND TO REGULATE AND RESTRICT THE CONSTRUCTION, RECONSTRUCTION, ERECTION, ALTERATION, REPAIR, HEIGHT, NUMBER OF STORIES, SIZE AND LOCATION OF BUILDINGS AND OTHER STRUCTURES WITHIN SAID DISTRICTS OR ZONES, AND TO REGULATE AND RESTRICT THE AREA, DIMENSIONS, AND THE SIZE OF LOTS OR TRACTS OF LAND OR YARDS, AND THE PERCENTAGE AND PORTION OF LOTS THAT MAY BE OCCUPIED IN CONNECTION WITH THE CONSTRUCTION AND LOCATION OF BUILDINGS OR OTHER STRUCTURES WITHIN SAID DISTRICTS OR ZONES; AND PROVIDING FOR THE METHOD OF PROCEDURE, THE APPOINTMENT OF A ZONING BOARD AND A BOARD OF ADJUSTMENT, AND PROVIDING PENALTIES FOR VIOLATION OF THIS ACT OR ANY CODE, ORDER OR RESOLUTION MADE UNDER THE AUTHORITY CONFERRED BY THIS ACT; AND REPEALING CHAPTER 25717, LAWS OF FLORIDA, ACTS OF 1949, AND CHAPTER 27431, LAWS OF FLORIDA, ACTS OF 1951, AS AMENDED BY CHAPTER 28952, LAWS OF FLORIDA, ACTS OF 1953, BUT CONTINUING IN FULL FORCE AND EFFECT SUCH RESOLUTIONS AS HAVE BEEN ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PURSUANT TO SAID CHAPTERS 25717 AND 27431, UNTIL SUCH TIME AS THE SAME ARE RESCINDED OR AMENDED BY SAID BOARD PURSUANT TO THE PROVISIONS OF THIS ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. GRANT OF POWER. For the purpose of promoting the health, safety, morals and the general welfare of the community, the Board of County Commissioners of Broward County, Florida, is hereby authorized and empowered to adopt zoning and building regulations in the territory within Broward County which is not included in the corporate limits of any city or town, and to divide said territory into districts or zones and to regulate and restrict the uses of lands, buildings and other structures for trade, industry, residence, or other purposes within said districts

or zones, and to regulate and restrict the construction, reconstruction, erection, alteration, repair, height, number of stories, size and location of buildings and other structures within said districts or zones, and to regulate and restrict the area, dimensions, and the size of lots or tracts of land or yards, and the percentage and portion of lots that may be occupied in connection with the construction and location of buildings or other structures within said districts or zones.

Section 2. DISTRICTS. For any and all of said purposes said Board of County Commissioners may divide such territory into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this Act. All such regulations and restrictions shall be uniform for each class or kind of property and building throughout each district, but the regulations in one district may differ from those in other districts.

Section 3. PURPOSE IN VIEW. Such regulations and restrictions shall be made in accordance with a comprehensive plan and designed to lessen congestion on the highways; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the over-crowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewage, schools, parks and other requirements. Such regulations shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land and water throughout such county.

Section 4. ELECTRICAL, PLUMBING AND BUILDING CODES. Said Board of County Commissioners is authorized and empowered to adopt, change and enforce electrical, plumbing and building codes deemed by such board to be necessary for the accomplishment of the purposes of this act, and to employ and fix the compensation of inspectors of electrical and plumbing work, buildings and any other work for the doing of which a permit shall have been issued. Before any code or amendment thereto is adopted pursuant hereto, a public hearing shall be held by the Board of County Commissioners in relation to such code or amendment.

Section 5. METHOD OF PROCEDURE. The said Board of County Commissioners is hereby authorized by resolution to establish the boundaries of such districts or zones, to promulgate regulations and restrictions to prevail therein, and from time to time to amend, supplement or to change the same. However, no such regulation, restriction, or boundary or change of same shall be adopted until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing shall be published in a newspaper of general circulation published in said county: Notice of said hearing

shall be given in writing by regular mail to the record owner of the property affected prior to the hearing, provided, however, said written notice may be waived by an affirmative vote of three members of the Board of County Commissioners. The said notice shall describe the district or districts, or zone or zones to be affected with sufficient certainty to advise the property owners therein that their property is to be affected, but need not describe the proposed plans or details thereof. At the hearing all persons interested shall be heard for or against the proposal and any other plans or modification thereof shall receive the consideration of the said Board of County Commissioners. The hearing may be adjourned from time to time until some plan or proposal is adopted, or until all are rejected.

Section 6. RECORDING. The Board of County Commissioners of Broward County may record in the official records of the county a certified copy of such regulations adopted under this Act, or parts thereof, as said Board may deem advisable.

Section 7. ZONING BOARD. The Board of County Commissioners of Broward County shall appoint a zoning board to be composed of ten members, two such members to be appointed from each County Commissioner's district, to be known as the Zoning Board, to recommend the boundaries of the various original districts and appropriate regulations to be adopted and enforced therein. Such Zoning Board shall make a preliminary report and hold a public hearing thereon before submitting its final report, and such Board of County Commissioners shall not hold its public hearing or take action until it has received the final report of such Zoning Board.

The Zoning Board shall from time to time make studies and recommendations for changes and amendments relating to the boundaries of the various districts and the regulations applicable thereto to the Board of County Commissioners. Any proposal or request for such a change or amendment shall first be filed with the Zoning Board and every such proposal or request shall be considered by the Zoning Board and transmitted thereafter to the Board of County Commissioners with the recommendation of the Zoning Board, either favorable or unfavorable, attached to or endorsed thereon.

The Zoning Board shall act in an advisory capacity to the Board of County Commissioners and make such studies and investigations as requested by the Board of County Commissioners.

The Zoning Board shall serve during the pleasure of the Board of County Commissioners and shall serve without compensation, but shall be paid actual expenses incurred in performance of their duties as members of the Zoning Board, which shall not exceed allowances as prescribed by state law.

Section 8. BOARD OF ADJUSTMENT AND BOARD OF RULES AND APPEALS.

(1) BOARD OF ADJUSTMENT. It shall be the duty of the Board of County Commissioners of Broward County to appoint by resolution a county board of adjustment, for such county, and it shall be the duty of said board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, to make special exceptions to the terms of any zoning order or zoning resolution in harmony with the general purpose and intent of such order or resolution and in accordance with general or specific rules therein contained. The members of such board of adjustment shall serve without compensation but shall be paid actual expenses incurred in performance of their duties as members of such board of adjustment which shall not exceed allowance as prescribed by state law.

Such board of adjustment shall consist of one (1) member from each county commissioner's district, each to be appointed for a term of one (1) year and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Meetings of the Board of Adjustment shall be held at the call of the chairman and at such other times as the Board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Adjustment shall be open to the public. The Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of County Commissioners of Broward County and shall be a public record.

Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the county affected by any decision of the administrative officers. Such appeal shall be taken within thirty (30) days from the date of such decision by filing with the officer from which the appeal is taken and with the Board of Adjustment a notice of appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certified to the Board of Adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application, on notice to the officer from whom the appeal is

taken, and on due cause shown. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

The Board of Adjustment shall have the following powers:

(a) To hear and decide appeals where it is alleged there is error in any zoning order, zoning requirement, zoning decision or zoning determination made by any administrative official in the enforcement of this act insofar as zoning matters are concerned or any zoning order or zoning resolution adopted pursuant thereto.

(b) To hear and decide special exceptions to the terms of any zoning order or zoning resolution which provides that such board may grant special exceptions to such order or resolution.

(c) So that substantial justice shall be done, to authorize upon appeal in specific cases such variance from the terms of any zoning order or zoning resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of such order or resolution will result in unnecessary hardship.

The concurring vote of three (3) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of any such administrative official.

Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment, or any taxpayer of such county may, within thirty (30) days after the date of such decision, but not thereafter, appeal therefrom to the courts.

(2) BOARD OF RULES AND APPEALS.

(a) DEFINITIONS. As used in this subsection:

1. "Board" means the board of rules and appeals.

2. "Code" means the south Florida building code, 1957 edition, as amended and adopted by the Board of County Commissioners for Broward County, and such other building codes and regulations as may be adopted by such Board of County Commissioners, including but is not limited to, plumbing and electrical codes.

3. "Building Official" means the director of the Zoning and Building Department of Broward County.

(b) CREATION. In order to determine the suitability of alternate materials and types of construction, to provide for reasonable interpretation of the provisions of the code and to assist in the control of the construction of buildings and/or

structures, there is here created a board of rules and appeals, to be appointed by the Board of County Commissioners of Broward County, consisting of seven (7) members who are qualified by training and experience to pass on matters pertaining to building construction.

(c) MEMBERSHIP.

1. Membership of the Board shall consist of one (1) architect, two (2) general contractors, one (1) structural engineer, one (1) mechanical engineer, one (1) master electrician and one (1) master plumber, all being qualified by being active in their respective professions and trades at the time and for the ten (10) years preceding their appointment, all having been examined and registered or licensed in their respective fields, and all residents of and having their principal businesses within the area of Broward County. In addition thereto, alternates shall be appointed for each of the above members representing the same respective profession and trade and with the same qualifications. Alternates may attend all Board meetings but may not vote on the Board unless the regular member is absent.

2. Board members and alternates shall be appointed for a term of three (3) years, or until their successors are appointed and qualified, with the exception that the terms of members of the first-created Board shall be for lesser periods so that the expiration of the members' terms shall be staggered.

3. The Board of County Commissioners of Broward County may remove any member of the Board for misconduct, incompetency or neglect of duty; however, any member so removed may, within ten (10) days, request a public hearing and shall receive such hearing before such removal shall be final.

4. A vacancy in the membership of the Board, occurring during a term, shall be filled by appointment of a member from the same field, and appointment shall be for the remainder of such term.

(d) COMPENSATION. Members of the Board of Rules and Appeals shall serve without compensation, but shall be paid actual expenses incurred in the performance of their duties.

(e) MEETINGS.

1. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine.

2. The Board shall select one (1) of its members to serve as chairman and one (1) to serve as vice chairman, to act in the absence of the chairman. A detailed record of all proceedings shall be kept on file in the office of the building official. The Board shall establish rules and regulations for its own procedure.

3. All hearings shall be open to the public, and any person whose interest may be affected by the matter on appeal shall be given an opportunity to be heard. The hearing shall be informal and need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now, or hereafter may be, recognized in civil actions; and irrelevant and unduly repetitious evidence shall be excluded.

4. No member of the Board shall sit as a voting member in any hearing involving any question in which he has personal or financial interest.

5. Four (4) members of the Board shall constitute a quorum. Decisions shall be at least four (4) favorable votes. The Board shall reach decisions without unreasonable or unnecessary delay.

6. Written notice of Board decisions shall be furnished the appellant when requested.

7. The building official shall take immediate action in accordance with decisions of the Board.

(f) DUTIES.

1. APPEAL FROM DECISION OF BUILDING OFFICIAL. The Board shall hear all appeals from the decisions of the building official from any person aggrieved thereby.

2. INTERPRET CODE AT REQUEST OF BUILDING OFFICIAL. The Board shall pass on all matters pertaining to this code and referred to the Board by the building official for interpretation or clarification.

3. INVESTIGATE ENFORCEMENT. The Board of Rules and Appeals, upon direction of the Board of County Commissioners of Broward County, or upon its own initiative, shall conduct investigation into the enforcement of this code, and shall have the power to suspend or revoke any permits issued thereunder, after a hearing at which interested persons may appear and be heard and evidence indicates that the best interests of the public are served by such action.

4. REPORT AND RECOMMENDATIONS. The Board of Rules and Appeals may recommend to the Broward County Board of County Commissioners schedules of fees, permits, inspections, testing of

materials, and all other such work required by the code; any desired amendments or revisions to the code; and shall report annually on the operation of the code, with respect to its enforcement, its effect on general building trends, the effect on buildings and other results.

(g) POWERS.

1. The Board of Rules and Appeals may interpret the provisions of the code to cover a special case if it appears that the provisions of the code do not definitely cover the point raised, or that the intent of the code is not clear, or that ambiguity exists in the working; but it shall have no authority to grant variances where the code is clear and specific. The use of alternate materials or types of construction, not clearly comparable with the materials and types of construction specified in the code, may not be granted by the Board of Rules and Appeals, but the Board, if favorable to such use, may recommend an amendment to this code to make such use lawful.

2. The Board shall have the power to affirm, modify or reverse the decision of the building official.

3. When it is deemed necessary by the Board, it may request experienced and technical advice on any specific subject or subjects from any qualified person or persons, and such request may be for attendance at Board meetings or for written analysis of the specific problem. The Board may establish panels of industry, either standing or temporary, for technical analysis of specific subjects.

(h) RECIPROCITY.

1. The Board shall have the authority to meet with similarly constituted and authorized boards for the purposes of discussion, decision and similar matters of area-wide industry concern.

2. Decisions of the majority of all members at joint meetings as referred to herein, shall not be binding on the Board. The decisions of joint meetings with other boards may be accepted or rejected or accepted with modifications.

(i) COURT REVIEW. Any person aggrieved by a decision of the Board, whether or not a previous party to the decision, may apply to the appropriate court for a writ of certiorari to correct errors of law of such decisions. Application for review shall be made to the proper court of jurisdiction within five (5) days after the decision of the Board.

Section 9. APPROPRIATION. The Board of County Commissioners of Broward County is hereby authorized to appropriate and pay out of the General Fund of such county, annually, such moneys as in the judgment of said Board may be necessary for the purpose of defraying the expense of zoning such county and administering the

provisions of this Act.

Section 10. PERMIT AND INSPECTION FEES. The Board of County Commissioners of Broward County is authorized and empowered by resolution to fix reasonable permit and inspection fees to be charged by said Board for such building permits, examinations and inspections as said Board may determine is necessary in the administration of the provisions of this Act.

Section 11. ADMINISTRATION. The Board of County Commissioners of Broward County is hereby authorized and empowered to employ during the pleasure of the Board a Zoning Director and Deputy Zoning Directors to administer and enforce the provisions of this Act and any codes, orders or resolutions made under authority hereof.

Section 12. PENALTIES. Any person, firm corporation, association or other group or body who shall violate any of the codes, regulations, restrictions and limitations promulgated under the authority of this Act shall be guilty of a misdemeanor.

Section 13. REMEDIES. The violation of any of the codes, regulations, restrictions and limitations promulgated under the provisions of this Act may be restricted by injunction, including a mandatory injunction, and otherwise abated in any manner provided by law, and such suit or action may be instituted and maintained by said Board of County Commissioners, by any taxpayer within said county or by any person affected by the violation of any such regulation, restriction or limitation.

Section 14. REPEAL. Chapter 25717, Laws of Florida, Acts of 1949, and Chapter 27431, Laws of Florida, Acts of 1951, as amended by Chapter 28952, Laws of Florida, Acts of 1953, are hereby repealed, except that such zoning and building regulatory resolutions as have been adopted by the Board of County Commissioners of Broward County, Florida, pursuant to said Chapter 25717 and 27431 shall continue in full force and effect until such time as the same are rescinded, changed or amended by said Board. Any such rescission, change or amendment shall be made under Section 5 and Section 7 of this Act. The Zoning Board may include any changes in such resolutions as have been adopted pursuant to said Chapters 25717 and 27431 in their recommendations and reports made under Section 7 hereof, and the Board of County Commissioners may include any such changes in any resolution adopted establishing the boundaries of the various original districts and adopting the regulations to be enforced therein.

The boards of adjustment and administrative officers appointed under said Chapters 25717 and 27431, or their successors, shall continue to perform their duties in the administration and enforcement of the resolutions adopted by the Board of County Commissioners under said Chapters 25717 and 27431 until such time as the Board of Adjustment and corresponding administrative

officers are appointed under this Act. From the date of their appointment, the Board of Adjustment and administrative officers under this Act shall administer and enforce the resolutions which have been adopted pursuant to said Chapters 25717 and 27431, and from that date such resolutions shall be considered the same as if adopted under this Act. Prior to the appointment of the Board of Adjustment and Administrative officers under this Act, such resolutions shall be administered and enforced under said Chapters 25717 and 27431.

Section 15. SAVING CLAUSE. If any section, part of section, paragraph or clause of this Act shall be held to be unconstitutional or void, the remaining provisions of this Act shall nevertheless remain in full force and effect.

Section 16. EFFECTIVE DATE. This Act shall take effect immediately upon becoming a law.

Became a law without the Governor's approval

Filed in Office Secretary of State MAY 5, 1955

