

## Chapter 39

### ZONING\*

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\*Cross references—Airports and aircraft, § 2-1 et seq.; power of county to adopt zoning regulations, § 5-13; building code, § 5-36 et seq.; housing code, § 5-52 et seq.; planning department enabling provisions, § 5-98 et seq.; area planning board, § 5-114 et seq.; plats and subdivisions, § 5-147 et seq.; mobile homes, § 23-1 et seq.; planning, zoning and development in Port Everglades District, § 28-275.

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- Art.        LX. Industrial Park M-1A District, §§ 39-1067—39-1089
- Art.        LXI. Planned Apartment R-4B District, §§ 39-1090—39-1113
- Art.        LXII. Recreational Vehicle RV-1 District, §§ 39-1114—39-1139
- Art.        LXIII. Agricultural Estate E-2 Districts, §§ 39-1140—39-1159
- Art.        LXIV. Mobile Home Park T-1A, T-1B and T-1C Districts, §§ 39-1160—39-1182
- Art.        LXV. Planned Unit Development (PUD) District, §§ 39-1183—39-1193

## ARTICLE I. INTENT, PURPOSE, METHODS

### Sec. 39-1. Purpose; division of county into districts.

(a) The comprehensive plan of this chapter 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.

(b) 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, sightly, 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. (Amend. Zoning Regs., § 1, 7-17-73)

**Sec. 39-2. Short title; scope.**

This chapter 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 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 chapter. (Amend. Zoning Regs., § 1.1, 7-17-73)

**Secs. 39-3--39-12. Reserved.**

**ARTICLE II. DEFINITIONS****Sec. 39-13. General construction of terms.**

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. (Amend. Zoning Regs., § 2.1, 7-17-73)

**Sec. 39-14. 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 thirty (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 (1½) tons capacity, but not including any operations 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 (2) 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-2B, B-3 or C-1 under this chapter.

*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.

*Carports.* 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 therefor of a use of a different kind or class.

Change of occupancy is not intended to include a change of tenants of 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 p.m.

*Commercial vehicles.* 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 buildings.* 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 chapter.

*District, more restricted or less restricted:* Each of the districts as listed in section 39-160 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 the 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 (1) or more persons, permanently or temporarily, continuously or transiently.

*Dwelling, one-family.* A dwelling occupied not otherwise than by one (1) family.

*Dwelling, two-family.* A dwelling occupied not otherwise than by two (2) families.

*Dwelling, multiple.* A dwelling occupied by three (3) or more families.

*Dwelling unit.* A space, area or portion of a building designed for and occupied by one (1) 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 chapter is assigned under this chapter.

*Erected.* The word "erected" includes built, constructed, reconstructed, moved upon or any physical operations on the premises required for building. Excavation, 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 (1) person, or a group of two (2) 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 area within the external perimeter of the exterior enclosing walls, including Florida rooms, sun rooms and utility rooms which are fully enclosed and directly accessible from the interior of the dwelling, but excluding other utility rooms, unenclosed porches, terraces or breezeways, and carports or garages.

*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 (2) 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 twenty-five (25) per cent 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 barbershop, beauty parlor, tearoom, 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 classification is M-1, M-2, M-3, M-4 or M-5 under this chapter.

*Inflammable liquid.* Any liquid, which under operating conditions gives off vapor which, when mixed with air, is combustible and explosive.

*Junkyard.* 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, house wrecking yards and yards or places for storage or handling of salvaged house wrecking and structural steel materials. This definition shall not include pawnshops 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 four (4) or more dogs over four (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 structures.* A structure or portion thereof, existing at the effective date of this chapter, 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 chapter 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 chapter, 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 three (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 overnight.

*Occupied.* The word "occupied" includes arranged, designed, built, altered, converted, 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 of 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 buildings and accessory uses, together with such yards and open spaces as are required by this chapter. 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 (2) adjacent sides abut for their full length upon street, provided that such two (2) sides intersect at an interior angle of not more than one hundred thirty-five (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 one hundred thirty-five (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 (2) 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 (2) 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 five (5) feet of the same length, both such lines shall be considered to be front plot lines for the purpose of determining 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 lot wherein the two (2) side plot lines converge in the rear, the rear plot line shall be considered to be a line ten (10) 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.

*Recreational vehicle.* Shall mean one of the following:

- (a) **Camping trailer.** A vehicular portable structure mounted on wheels, constructed with collapsible partial side walls of fabric, plastic or other material for folding compactly while being drawn by another vehicle, and when unfolded at the site or location providing temporary living quarters; and the primary design of which is for recreation, camping or travel use.
- (b) **Truck camper.** A portable structure, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreation, camping or travel use.
- (c) **Motor home.** A structure built on and made an integral part of a self-propelled motor vehicle chassis primarily designed to provide temporary living quarters for recreation, camping or travel use.
- (d) **Travel trailer.** A vehicular, portable structure built on a chassis, designed to be pulled by a standard passenger automobile and to be used as a temporary dwelling for recreation or travel purposes. The vehicle shall be equipped with tanks for storage of water and for holding of sewage, and shall have an interior lighting system operable from a source of power within the vehicle. Such vehicle shall not exceed eight (8) feet in width.

*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, A-2, R-1A, R-1B, R-1C, R-1T, R-1P, R-2, R-2P, R-3, R-4, R-4A, R-5, R-6, T-1, E-1, D-1, R-2U or R-3U.

*Restaurant.* A building or room, not operated as a dining room in connection with a hotel, where food is prepared and served for pay 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 eighty (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 or 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 insignia 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 (2) faces back to back, the area of the sign shall be the larger of the areas of the two (2) 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, nameplate.* 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 place.

*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 (2) 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 twenty (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 (3) or more single-family camp cottages or tents are located or 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 surfaces 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 (1) 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, boardinghouse, 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 (2) different zoning districts on either side of such boundary line, in accordance with the provisions of section 39-47 of this chapter, which use is not among the uses generally permitted in other locations in said more restricted district.

*Variances.* A modification of, or deviation from, the regulation 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 this chapter. 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 this chapter. 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 side plot 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 this chapter and for the purpose of carrying out and enforcing its provisions. (Amend. Zoning Regs., § 2.2, 7-17-73)

**Secs. 39-15—39-24. Reserved.**

### ARTICLE III. GENERAL PROVISIONS

#### **Sec. 39-25. Conflicting regulations.**

Wherever any provisions of this chapter 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 chapter shall govern. (Amend. Zoning Regs., § 3.1, 7-17-73)

#### **Sec. 39-26. 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 chapter. (Amend. Zoning Regs., § 3.2, 7-17-73)

#### **Sec. 39-27. 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 chapter, 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 chapter. (Amend. Zoning Regs., § 3.3, 7-17-73)

#### **Sec. 39-28. Outstanding permits.**

(a) Where, at the effective date of this chapter, there are outstanding valid building permits, authorizing the construction of buildings, structures, additions or alterations, the use or construction of which do not conform to the requirements of this chapter, such permits shall be void unless actual construction work, excluding grading or excavating is underway within sixty (60) days of the effective date of this chapter.

(b) Where, at the effective date of this chapter, 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 chapter, such permit shall be void unless the use is actually in operation on that date. (Amend. Zoning Regs., § 3.4, 7-17-73)

#### **Sec. 39-29. 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 (6) months after active construction operations have been suspended or abandoned. (Amend. Zoning Regs., § 3.5, 7-17-73)

#### **Sec. 39-30. Time limit.**

Where the board of adjustment has approved or granted a special exception or variance pursuant to the terms of the zoning resolution, such approval or grant shall become null and void unless a permit pursuant thereto is issued within ninety (90) days of the date of such action by the board of adjustment. (Amend. Zoning Regs., § 3.6, 7-17-73)

**Sec. 39-31. Errors and violations.**

(a) 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 chapter. No permit presuming to give the authority to violate or cancel the provisions of this chapter shall be valid except insofar as the work or use which it authorizes is lawful.

(b) 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 chapter, or any regulations of Broward County. (Amend. Zoning Regs., § 3.7, 7-17-73)

**Sec. 39-32. 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 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 specified plot in such a manner as to carry out the spirit and purpose of this chapter. (Amend. Zoning Regs., § 3.8, 7-17-73)

**Sec. 39-33. 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. (Amend. Zoning Regs., § 3.9, 7-17-73)

**Sec. 39-34. Tents.**

No tent shall be erected, used or maintained for living quarters except for camping or recreational activities. (Amend. Zoning Regs., § 3.10, 7-17-73)

**Sec. 39-35. No reduction of required area.**

No plot, yard, setback, clearance, parking area or other space shall be reduced in area or dimension so as to make said area or dimension less than the minimum required by this chapter; and if already less than the minimum required by this chapter 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 chapter, shall be included as part of a yard, setback, clearance, parking area or other space required under this chapter for another building, structure or use, unless specifically permitted under this chapter. (Amend. Zoning Regs., § 3.11, 7-17-73)

**Sec. 39-36. 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 lesser size than the minimum plot required in the district within which such land is located. (Amend. Zoning Regs., § 3.12, 7-17-73)

**Sec. 39-37. Double frontage.**

Where a plot is bounded on two (2) 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. (Amend. Zoning Regs., § 3.14, 7-17-73)

**Sec. 39-38. 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 chapter, except that side yards 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. (Amend. Zoning Regs., § 3.15, 7-17-73)

**Sec. 39-39. Group housing.**

Where two (2) 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 chapter. The spacing, arrangement and distance between buildings on the plot shall provide a separation between any two (2) such buildings not less than one-half ( $\frac{1}{2}$ ) the height of the higher of the two (2) buildings. (Amend. Zoning Regs., § 3.16, 7-17-73)

**Sec. 39-40. 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 this chapter.

- (1) Sills or belt courses may project not over twelve (12) inches into a required yard.
- (2) Cornices, eaves or gutters may project not over one-third of the required yard with a maximum of five (5) feet, provided that where the yard is less than five (5) feet in width such projections shall not exceed one-half the width of the yard.
- (3) Chimneys, fireplaces or pilasters may project not over two (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 five (5) feet into a required rear yard, or not over three (3) feet eight (8) inches into a required side yard of a multiple dwelling, hotel or motel.
- (6) Meter rooms not over seven (7) feet in height may project not over five (5) feet into a required yard.
- (7) Unenclosed and unroofed porches or terraces extending above the ground not higher than the first floor

level except for railings may extend not over five (5) feet into a required front yard, not over three (3) feet into a required side yard, and not over ten (10) feet into a required rear yard.

- (8) Hoods, canopies or marquees may project not over one-third of the required yard, with a maximum of five (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 39-41 of this article.
- (10) In R-3, R-4, R-4A, R-5 and R-6 districts the first five (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 five (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.
- (11) Fallout shelters, for protection against radioactive rays, may be located in a required front yard or street side yard, if constructed entirely below ground with no projections above grade except as hereinafter specified. An entrance hatch may extend not over one foot above ground, and intake and exhaust pipes for ventilation not over twelve (12) inches in outside diameter may extend not over forty-eight (48) inches above grade. (Amend. Zoning Regs., § 3.17, 7-17-73)

#### **Sec. 39-41. Fences, walls and hedges.**

(a) Except as provided in subsection (c) of this section, no fence, wall or hedge shall be erected or maintained along or adjacent to a plot line on residentially zoned property to a height exceeding four (4) feet on a front yard or street side yard, five (5) feet in a side yard or six (6) feet in a rear yard,

except that where the plot line is adjacent to non-residentially zoned property, there shall be an eight-foot limit on the height of a fence, wall or hedge along such plot line.

(b) No fence, wall or hedge 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 eight (8) feet.

(c) In any residential district, no fence, wall or hedge shall be erected, constructed, maintained or grown to a height exceeding two (2) feet above the street grade nearest thereto, within twenty (20) feet of the intersection of any street lines or of the street lines produced. (Amend. Zoning Regs., § 3.18, 7-17-73)

#### **Sec. 39-42. Accessory uses and structures.**

(a) In residential districts, all accessory buildings and uses shall not be located in any required yard other than a rear yard, except that fallout shelters conforming to recommended standards of the U.S. Office of Civil Defense and Mobilization may be located in required front and street side yards if they conform to section 39-40(11).

(b) In residential districts, all accessory buildings and uses in a rear yard shall be located at least five (5) feet from any plot line, at least fifteen (15) feet from any street line and at least ten (10) feet from any main building or other accessory building. Accessory buildings and structures shall not exceed two (2) stories or twenty-four (24) feet in height. A private garage not over one story in height may be located not less than five (5) feet from a rear or inside side plot line.

(c) 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.

(d) 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, M-3, M-4 or M-5 districts.

(e) Accessory buildings shall not occupy more than thirty-five (35) per cent of a required rear yard area.

(f) Areas or appurtenances not covered by a roof and enclosed only by screens shall not be subject to the limitations of this section.

(g) In residential districts, the location of accessory swimming pools shall be subject to the following regulations:

- (1) 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.
- (2) Any part of a pool which is covered by a roof or enclosed by side walls over five (5) feet in height shall be subject to the limitations on location of a building and shall not be placed in any required yard.
- (3) Unenclosed pools or pools enclosed only with open mesh screening shall not be located less than five (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.
- (4) For the purposes of subsection (g)(3) 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 waterline of the pool for an unenclosed pool. (Amend. Zoning Regs., § 3.19, 7-17-73)

#### **Sec. 39-43. Exclusions from height limits.**

Penthouses, scenery lofts, towers, cupolas, steeples and domes, not exceeding in gross area at maximum horizontal section thirty (30) per cent of the roof area, and flagpoles, 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 twenty-five (25) per

cent. Parapet walls may extend not more than five (5) feet above the allowable height of a building. Radio and television for receiving purposes only shall not be subject to height limits. (Amend. Zoning Regs., § 3.20, 7-17-73)

**Sec. 39-44. 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 fifteen (15) feet.
- (2) *Setback of boat houses:* No boat houses shall be built less than five (5) feet from the established bulkhead or waterway line or less than ten (10) feet from any side plot line.
- (3) *Accessory building attached to boat houses:* No accessory building to a boat house which is attached thereto and a part thereof shall be erected or altered less than twenty (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 thirty (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 twenty (20) feet in width measured on a line parallel to the waterway line, nor exceed forty (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 ten (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 twenty-five (25) per cent of the area of the plot. (Amend. Zoning Regs., § 3.21, 7-17-73)

**Sec. 39-45. Docks and wharves.**

(a) 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.

(b) No dock shall project more than five (5) feet into any waterway beyond the waterway line or established bulkhead line nor extend closer than ten (10) feet to the plot line of any other residentially zoned property. (Amend. Zoning Regs., § 3.22, 7-17-73)

**Sec. 39-46. Groins and breakwaters.**

(a) 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 39-45, nor shall any groin, breakwater or piling be constructed or located in the waters of the Atlantic Ocean in such a location, height, length or character as to cause erosion on adjacent property or on beaches in the vicinity. The approval of the U.S. Army Engineers shall be obtained on encroachments into the waters of the Atlantic Ocean, where that agency has jurisdiction.

(b) No part of any building or structure not for shoreline protection shall be constructed or located between the average vegetation line and the Atlantic Ocean extending beyond twenty-five (25) feet from such average vegetation line.

(c) Seawalls shall be of a sloping, high energy-absorbing type, or of a vertical type with high energy-absorbing, rubble mound on the oceanside of the vertical wall. The toe, or bottom of a sloping seawall shall be located not closer than fifty (50) feet from mean low water shoreline, and vertical seawalls shall be located not closer than one hundred (100) feet from mean low water shoreline. (Amend. Zoning Regs., § 3.23, 7-17-73)

**Sec. 39-47. 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, off-street 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 sixty (60) feet from the side plot line of the plot abutting on the district boundary line. (Amend. Zoning Regs., § 3.24, 7-17-73)

**Sec. 39-48. Residential uses in non-residential districts.**

The following regulations shall apply where a plot in a non-residential district is utilized for a permitted residential use:

- (1) Such use and such plot shall conform to the district regulations for plot size, plot coverage, front yard, side yards, rear yard and plot area per room specified for that particular residential district in which such residential use would first be permitted from a height limit standpoint, except as modified by subsections (2) and (3) following.
- (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. (Amend. Zoning Regs., § 3.25, 7-17-73)

**Sec. 39-49. District boundary line plots.**

(a) Where a B-1, B-2, B-2A, B-2B 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 twenty-five (25) feet in depth along such separating street.

(b) Where a B-1, B-2, B-2A, B-2B 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 ten (10) feet in depth adjacent to the residentially zoned property.

(c) Where any C-1, M-1, M-2, M-3, M-4 or M-5 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 twenty-five (25) feet in depth along such separating street.

(d) Where a C-1, M-1, M-2, M-3, M-4 or M-5 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 twenty (20) feet in depth adjacent to the residentially zoned property.

(e) 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. (Amend. Zoning Regs., § 3.26, 7-17-73)

**Sec. 39-50. Use of residentially zoned property for access.**

No land which is residentially zoned shall be used for driveway or vehicular access purposes to any land which is non-residentially zoned or used for any purpose not permitted in a residential district. (Amend. Zoning Regs., § 3.27, 7-17-73)

**Sec. 39-51. Elevation of filled land.**

(a) 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 five and one-half (5.5) feet.

(b) All elevations required in this section shall be measured above mean sea level, U.S.C. & G.S. Datum. (Amend. Zoning Regs., § 3.28, 7-17-73)

**Sec. 39-52. 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 chapter. (Amend. Zoning Regs., § 3.29, 7-17-73)

**Sec. 39-53. County uses.**

The provisions of this chapter 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. (Amend. Zoning Regs., § 3.30, 7-17-73)

**Sec. 39-54. Nuisances.**

Nothing shall be allowable on the premises in any district provided for in this chapter that shall in any way be offensive or obnoxious 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 that would in any way constitute an eyesore or nuisance to adjacent property owners or residents or to the community. (Amend. Zoning Regs., § 3.31, 7-17-73)

**Sec. 39-55. Accessory dwellings.**

Plots having accessory dwellings where permitted in B-1, B-2, B-2A, B-2B, B-3, C-1, M-1, M-2, M-3, M-4 and M-5 districts shall be provided with the yards which are required in R-6 districts for such use except as modified by section 39-48. (Amend. Zoning Regs., § 3.32, 7-17-73)

**Sec. 39-56. Sewage disposal.**

Regardless of other provisions of this chapter, 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. (Amend. Zoning Regs., § 3.33, 7-17-73)

**Sec. 39-57. Plots in separate ownership.**

The requirements of this chapter 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 chapter. (Amend. Zoning Regs., § 3.34, 7-17-73)

**Sec. 39-58. 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. (Amend. Zoning Regs., § 3.35, 7-17-73)

**Sec. 39-59. 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. (Amend. Zoning Regs., § 3.36, 7-17-73)

**Sec. 39-60. Cemeteries.**

Cemeteries shall not be subject to plot size and yard requirements as specified in the zoning regulations. (Amend. Zoning Regs., § 3.37, 7-17-73)

**Sec. 39-61. Waterways.****(a) Definitions.**

- (1) For the purpose of this chapter, the term "waterway" shall mean a canal, ditch, pond, lake or other depression created for the conveyance or storage of natural, pumped, or excess storm water runoff.
- (2) The phrase "future right-of-way line" shall mean the base building line as prescribed in this chapter or the future right-of-way line of any street already established by partial dedication or the line of trafficway designated in the official Broward County Trafficway Plan.
- (3) The term "create" or "created" as used herein shall mean to construct, widen, deepen, fill, reroute or alter, as applied to waterways herein.

**(b) Location of waterways.**

- (1) No portion of a waterway shall be created within a public road right-of-way or within reservations dedicated for roadway purposes.
- (2) No waterway shall be located within one hundred (100) feet from an existing or future right-of-way line of a street unless such waterway is designated to cross such street and the waterway conforms with all of the provisions of this chapter.

- (3) No waterway shall be created or maintained in such a location, or in such a connection with, or in such relation to, other existing waterways as to endanger through excessive salinity existing potable water resources or to unreasonably change the existing limits of saline water penetration. (Amend. Zoning Regs., § 3.38, 7-17-73)

**Sec. 39-62. Same—Permits.**

(a) No waterway shall be created unless a permit has been first obtained from the Broward County Engineering Department. The exception to this shall be these waterways that serve less than six hundred forty (640) acres, used for the conveyance of irrigation to or drainage from agricultural lands to other waterways leading to major discharge points, and those waterways controlled and maintained by the Central and Southern Florida Flood Control District.

(b) No permit shall be issued by the engineering department for a waterway unless the department finds such proposed waterway to be in conformity with all of the requirements of this chapter, and the application therefor has been approved by the Broward County Building, Planning and Zoning Department as being in conformity with the county zoning, county platting regulations and any comprehensive county plan.

(c) Permits shall not be required for waterways created in an area covered by, and in conformity with, a recorded subdivision plat. (Amend. Zoning Regs., § 3.38, 7-17-73)

**Sec. 39-63. Same—Application for permits.**

(a) Application for such permission shall be made to the Broward County Engineering Department, by letter, stating the reason for alteration or construction of the waterway. This letter shall be accompanied by four (4) sets of plans prepared by a surveyor or engineer, registered as such by the State of Florida, showing the location, proposed cross-sections, structures in or across the waterway, and other details as may be required by the engineering department.

(b) If the requested waterway is to serve as a drainage system for a subdivision, the design calculation used in arriving at the waterway cross-section area and structures therein, showing degree of protection from flooding of the subdivision, estimated water surfaces, and other pertinent data used in the design of the waterway, shall be submitted. This shall be done by an engineer duly registered as such by the State of Florida.

(c) All information requested shall be referenced, all elevations shall refer to U.S. Coast and Geodetic Survey, mean sea level datum. All points or cross-sections of interest shall be stationed from a known reference point. (Amend. Zoning Regs., § 3.38, 7-17-73)

#### **Sec. 39-64. Same—Inspection.**

Representatives of the engineering department shall inspect waterways and all structures in or across any waterway during their construction period. As-built drawings shall be submitted to the engineering department upon completion of all work in or across the waterway with as-built cross-sections of the waterway every one hundred (100) feet, or as often as may be necessary to determine the change in cross-section area. (Amend. Zoning Regs., § 3.38, 7-17-73)

#### **Sec. 39-65. Trafficway frontage setbacks.**

(a) *Setback area required.* In the unincorporated territory of Broward County, Florida, within the line described and defined in subsection (b) of this section, upon all property described in subsection (c) of this section abutting upon a trafficway, there is established a setback area adjacent to such trafficway, which setback area shall be twenty-five (25) feet in depth, measured from the existing right-of-way line of such trafficway or from the base building line of such trafficway, whichever shall be at the greater distance from the center line of such trafficway.

(b) *Territory for setback area requirement.* The territory within which setback areas are required under subsection (a) above, lies within a boundary line described as follows:

Beginning at a point which is the intersection of the Westerly right-of-way of the Sunshine State Parkway and the South boundary line of Broward County, Florida;

Thence run Northerly along the Westerly right-of-way of the Sunshine State Parkway to the South boundary line of Section 2, Township 50 South, Range 41 East (Broward Boulevard);

Thence run Easterly along the South boundary of Sections 2 and 1, Township 50 South, Range 41 East and Section 6, Township 50 South, Range 42 East, to the Southeast corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of said Section 6;

Thence run Northerly along the East boundary of the West one-half (W  $\frac{1}{2}$ ) of Section 6, Township 50 South, Range 42 East, and Section 31, Township 49 South, Range 42 East to the Northeast corner of the Northwest Quarter (NW  $\frac{1}{4}$ ) of said Section 31, Township 49 South, Range 42 East;

Thence run Easterly along the North boundary line of Section 31, Township 49 South, Range 42 East to the Northeast corner of Section 31, Township 49 South, Range 42 East;

Thence run Northerly along the West boundary line of Sections 29, 20 and 17, Township 49 South, Range 42 East, to the Northwest corner of said Section 17, Township 49 South, Range 42 East;

Thence run Easterly along the North boundary line of Sections 17, 16 and 15, Township 49 South, Range 42 East, to a point of intersection with the West right-of-way line of the Seaboard Airline Railroad;

Thence run Northerly along the West right-of-way line of the Seaboard Airline Railroad to a point of intersection on the South boundary of Section 34, Township 48 South, Range 42 East;

Thence run Westerly along the South boundary lines of Sections 34 and 33, Township 48 South, Range 42 East, to the Northeast corner of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 4; Township 49 South, Range 42 East;

Thence run Northerly along the center line of the street known as Atlantic Boulevard Extension to the North boundary line of Section 33, Township 48 South, Range 42 East;

Thence run Easterly along the North boundary line of Sections 33 and 34, Township 48 South, Range 42 East, to a point of intersection with the Westerly right-of-way line of the Seaboard Airline Railroad;

Thence run Northerly along the West right-of-way of the Seaboard Airline Railroad to a point of intersection with a line which is parallel to and 300 feet South of the North boundary of Section 23, Township 48 South, Range 42 East; thence run Westerly 300 feet South of and parallel to the North boundary of Sections 23 and 22, Township 48 South, Range 42 East, to a point on the West line of Section 22, Township 48 South, Range 42 East; thence run Northerly along the West line of Sections 22 and 15, Township 48 South, Range 42 East a distance of 600 feet to a point; thence run Easterly 300 feet North of and parallel to the South boundary of Sections 15 and 14, Township 48 South, Range 42 East to a point of intersection with the Westerly right-of-way line of the Seaboard Airline Railroad;

Thence run Northerly along the West right-of-way of the Seaboard Airline Railroad to the North boundary line of Broward County, Florida;

Thence run Westerly along the North boundary line of Broward County, Florida from said point to the point of intersection with the Central and Southern Florida Flood Control District Levee L-36;

Thence run Southerly along the Central and Southern Florida Flood Control District Levee L-36 to the point of intersection with the Central and Southern Florida Flood Control District Levee L-35A;

Thence run Southwesterly along the Central and Southern Florida Flood Control District Levee L-35A to the point of intersection with the Central and Southern Florida Flood Control District Levee L-35;

Thence run West-Northwesterly along the Central and Southern Florida Flood Control District Levee L-35 to the point of intersection with the Central and Southern Florida Flood Control District Levee L-37;

Thence run Southerly along the Central and Southern Florida Flood Control District Levees L-37 and L-33 to the South boundary line of Broward County, Florida;

Thence run Easterly along the South boundary line of Broward County, Florida, to the Point of Beginning.

(c) *Zoned areas.* The trafficway frontage lying within the line described in subsection (b) subject to the setback area requirement shall be all such property zoned in any agricultural, recreational, business or industrial district as listed in section 39-160 of this chapter.

(d) *Permitted use of setback area.* Within the setback area required and described in subsection (a) of this section, no uses or structures or part thereof shall be erected or maintained other than the following:

- (1) Awnings, or marquees projecting not over five (5) feet into setback area
- (2) Benches
- (3) Below grade, underground: structures, tanks or storage
- (4) Driveways and walkways
- (5) Landscaping
- (6) Ornamental statuary
- (7) Parking
- (8) Planting bins
- (9) Service signs
- (10) Telephone booth
- (11) Utility poles, light standards, ornamental lighting
- (12) Advertising signs located not less than twenty-five (25) feet from any street line
- (13) Fuel pumps or pump islands on a plot used for a service station

(e) *Prohibited use of setback area.* Within the setback area required and described in subsection (a) of this section, the following uses and structures are specifically prohibited:

- (1) Buildings
- (2) Exhibits or displays
- (3) Plant nursery
- (4) Roofed structures except awnings or marquees permitted in subsection (d) of this section.
- (5) Sales, display, storage or service of boats, trailers, machinery
- (6) Walls or fences

(f) *Trafficways defined.* For the purposes of this section, a trafficway shall be defined as a freeway, expressway, primary arterial or major thoroughfare shown upon a trafficway plan officially adopted by Broward County and/or the Broward County Area Planning Board. (Amend. Zoning Regs., § 3.39, 7-17-73)

#### **Sec. 39-66. Model units and sales offices.**

Irrespective of other limitations and requirements in this chapter, temporary model dwelling units and temporary sales offices may be erected and used on the plot of a cooperative or condominium housing project during the construction and sale of the units in such a project. Such temporary model units and sales offices shall be removed upon the completion and closing out of such projects. (Amend. Zoning Regs., § 3.40, 7-17-73)

#### **Sec. 39-67. Site development plan requirements.**

##### **(a) Preamble.**

- (1) The establishment of standards of subdivision design which will encourage and lead to the development of sound and economically stable communities, and the creation of healthful living environments;
- (2) Installation to prescribed standards by the land developer of those necessary improvements which should not become a charge on the citizens and taxpayers of already existing communities;

- (3) The efficient, adequate and economic supply of utilities and services to new land developments;
- (4) The prevention of traffic hazards and the establishment of safe and convenient means for the circulation of traffic, both vehicular and pedestrian, within new land developments and from new land developments into and from established communities;
- (5) That, for those lands subject to periodic or seasonal floodings, including tidal flooding, subdivision and development shall occur only after proper provision is made for the protective flood control measures and drainage facilities necessary for flood-free development and for flood-free vehicular access to such sites; and,
- (6) The provision of public open spaces in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes.

Approval by the Plat and Site Plan Review Committee or the Plan Review Section of the Planning, Building and Zoning Department of a site development plan is required prior to the initiation of any new construction including grading, dredging and filling in any of the various zoning districts in Broward County, Florida; nor shall any governmental agency contract or permit any agreement or construction on a site until such site has received site plan approval by the Plat and Site Plan Review Committee or Plan Review Section of Planning, Building and Zoning Department. Such approval may be given either through plan circulation or at a meeting held in public session, at the discretion of the Director of Planning, Building and Zoning Department.

(b) *Definitions.*

- (1) *Inclusions:* As used in this section, words in the singular include the plural and those in the plural include the singular. The word "person" includes a corporation, unincorporated association and a partnership, as well as an individual. The word "build-

ing" includes structure and shall be construed as if followed by the phrase "or part thereof." The word "street" includes any name commonly used for a roadway. The word "watercourse" includes channel, creek, ditch, dry run, spring, stream and canal, but does not include a lake, pond or pool without outlet. The word "may" is permissive; the word "shall" is mandatory and not merely directory.

- (2) *Abutting property*: Any property that is immediately adjacent or contiguous to, or immediately across any road or public right-of-way from the subdivision.
- (3) *Base building line*: See section 39-79.
- (4) *Bicycle path*: A path primarily intended for bicycle traffic.
- (5) *Block*: Means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having assigned numbers, letters, or other name through which it may be identified.
- (6) *Building*: Any roofed structure designed or built for the support, enclosure, shelter or protection of persons, animals or chattel.
- (7) *Commission*: Shall mean the Board of County Commissioners of Broward County.
- (8) *Committee*: Shall mean the Plat and Site Plan Review Committee of Broward County.
- (9) *Cul-de-sac*: A minor street intersecting another street at one end and terminated at the other end by a vehicular turnaround.
- (10) *Developer*: A person, or his agent, who is responsible for the planning, subsequent land improvement, and development of a parcel of land.
- (11) *Driveway*: A vehicular facility connecting a parking aisle to another street of equal or higher functional classification.

- (12) *Easement*: A right-of-way granted on private property for specified public or private use.
- (13) *Expressway*: Limited-access highways whose function is to carry high-speed, high-volume, through traffic and giving no access to adjacent property. Frontage or service roads are to be used for access to adjacent property.
- (14) *Freeway*: Freeways are fully controlled access highways whose function is to carry high-speed, high-volume, continuous through traffic for trips of appreciable length. These highways shall be free of conflicting traffic, give no service to adjacent property and have no provisions for pedestrians or parking. Frontage or service roads may be included for abutting property.
- (15) *Functional classification*: The grouping of roadways into a system which describes the predominant character of trip service.
- (16) *Half or partial street*: That portion of a street, lying on the boundary line of a tract, created where the full right-of-way width is not lying within the limits of the specific tracts.
- (17) *Improved recreation area*: Those areas of a site developed for recreation purposes including but not limited to bicycle paths, pedestrian walkways (excluding sidewalks), tennis courts, clubhouses, park benches, children's play areas.
- (18) *Improvements, public*: Any of the following: Street pavement, with or without curbs and gutters; sidewalks, parking areas, alley pavement; water mains, sanitary sewers; storm drains; street name signs; landscaping; street trees; permanent reference monuments (PRM); permanent control points (PCP).
- (19) *Interior pedestrian system*: That series of walkways which provides non-vehicular circulation throughout the tract.
- (20) *Lot*: A tract or parcel of land identified as a single unit in a subdivision and intended for transfer of ownership, use or improvement.

- (21) *Lot depth*: The mean horizontal distance between the front and rear lines of a lot.
- (22) *Lot width*: The horizontal distance between the side lines of a lot at the front setback line, or at the front lot line where no front setback is required.
- (23) *Master plan*: A plan depicting a general layout of streets, blocks, lots, waterways, etc., for the future subdividing of an area, which may be platted in sections or phases, for each of which, a preliminary plat shall be filed.
- (24) *Multiple dwelling*: A building which provides three (3) or more separate living units.
- (25) *Parking aisle*: A roadway giving direct access to parking spaces.
- (26) *P.C.P.*: Shall mean permanent control points, each of which shall consist of a nail in a disc (disc stamped with surveyor's registration number preferred), iron pipe, brass marker or iron pin, as required by chapter 177 Florida Statutes.
- (27) *P.R.M.*: Means a permanent reference monument which consists of a metal rod, or a pipe, a minimum of twenty-four (24) inches long and one and one-half (1½) inch minimum diameter, either of which, shall be encased in a solid block of concrete or set in natural bedrock, a minimum of six (6) inches in diameter and extending a minimum of eighteen (18) inches below the top of the monument. A concrete monument four (4) inches by four (4) inches, a minimum twenty-four (24) inches long with the point of reference marked thereon, shall bear the registration number of the surveyor certifying the plat of record and the letters PRM shall be placed in the top of the monument.
- (28) *Plat and site plan review committee*: A group of representatives of each of the various Broward County agencies having direct interest in new plats or site plans, including the air and water pollution control board, area planning board, Broward County Trans-

portation Authority, board of public instruction, engineering department, parks and beaches department, building, planning and zoning department, utilities department and such other departments as may be deemed necessary, meeting at regular intervals to review plat and site plans. The county administrator is the plat and site plan review committee chairman ex officio.

- (29) *Reverse frontage lot*: A lot extending between a trafficway and a minor street, fronting on the minor street thus eliminating vehicular access from the trafficway.
- (30) *Right-of-way*: Land reserved or used for a street, alley, walkway, drainage facility or other public purpose.
- (31) *Sidewalk*: A pedestrian walkway within the public road right-of-way or easement.
- (32) *Setback*: The distance required to obtain minimum front, side or rear yard open space.
- (33) *Site development plan*: An instrument for the purpose of subdividing land as parcels, lots, tracts, etc., required as an alternative to the filing of a plat of record.
- (34) *Site development plan, conceptual*: An informal development plan indicating existing site features, including existing roadways, land use areas, interior vehicular circulation system, and the surrounding community development.
- (35) *Site development plan, preliminary*: A tentative development plan, to scale and dimensioned, which may be submitted prior to submission of final plans.
- (36) *Site development plan, final*: A complete and exact plan which will be submitted and approved prior to filing for a building permit.
- (37) *Special ecological condition*: Any special soil association, unique drainage condition, geological situation,

floral or faunal condition existing on a given property and whose maintenance as a feature is beneficial to Greater Broward County.

- (38) *Street*: A facility used for vehicular traffic.
- (39) *Street, alley*: A public right-of-way not less than twenty (20) or more than thirty (30) feet in width, providing a secondary means of access for service vehicles to abutting property.
- (40) *Street, collector*: A street which serves the internal traffic movement within a given geographic area and connects that area to the arterial system.
- (41) *Street, driveway*: A vehicular facility connecting a parking aisle to another street of equal or higher functional classification.
- (42) *Street, local*: A street which primarily services abutting property and connects to another street of equal or higher functional classification. Local streets offer the lowest level of mobility and are designed to discourage through traffic.
- (43) *Street, marginal-access*: A minor street parallel and adjacent to a trafficway, which provides access to abutting property and limited access to the trafficway.
- (44) *Street, minor arterial*: A street whose principal function is to carry and distribute traffic of moderate trip length.
- (45) *Street, principal arterial*: A street whose principal function is to carry through traffic over considerable distances, having reasonably unimpeded traffic flow.
- (46) *Subdivider*: See Developer.
- (47) *Subdivision*: The division or development of land.
- (48) *Subdivision, mobile home*: Shall mean a subdivision in which lots are platted, for sale or for lease for occupancy by a house trailer or mobile home for one (1) family per lot.

(49) *Trafficway*: An arterial street as identified on the county trafficways plan.

(50) *Vehicular circulation system*: The total system of streets which collects and conveys vehicular traffic for a development.

(c) *Zoning classification*: All plans submitted for consideration shall have the proper zoning classification for the proposed development as presented.

(d) *Platting*: A plat of record shall be filed for all subdivision of land prior to obtaining a building permit.

(e) *Preparation and filing of site development plans*:

(1) *Submission*.

- a. A conceptual site development plan may be submitted by the developer for informal discussion with the plat and site plan review committee. Prints shall be supplied to the planning division at least fourteen (14) calendar days prior to their meeting.
- b. Data furnished on a conceptual site development plan shall include the following information and any other information deemed necessary by the planning division:
  1. Legal description
  2. Site boundaries, clearly identified; and ties to section corners
  3. The adjacent land use
  4. Existing features, (trees, water, structures) including topography, roadways and land use areas
  5. Proposed land use areas
  6. Vehicular circulation system
  7. Provider of utilities
  8. The following computations:
    - a. Total acreage
    - b. Proposed density

- c. Vehicular open space (roadways, aisles, parking)
  - d. Recreational open space (improved open areas)
  - e. Passive open space (lakes, canals, vacant areas)
  - f. Plot coverage by land use areas
  - g. Anticipated dwelling units or square footage of business, commercial and industrial structures
  - h. Projected population of site
9. Statement describing character of proposed development (estimated unit cost, adult or family, name of development, proposed ownership and control) anticipated traffic generations and name of utility company to service project.
  10. Indicate any adjacent areas of same owner.
  11. Direction of drainage flows.
  12. Relationship to section corners, major land line(s), including distances from such known points or lines.
- (2) *Consideration.* Such site plans may be considered for informal discussion between the developer and/or his designer and the plat and site plan review committee.
- (f) *Preliminary site development plans.*
- (1) *Submission.*
    - a. The preliminary site development plan may be submitted by the developer for review by the plat and site plan review committee or plan review section of the building, planning and zoning department.
    - b. Data furnished on a preliminary site plan shall be to scale and shall include the following information, and any other information deemed necessary by the planning division.

1. All information required for a conceptual site development plan.
2. Location and height of all structures with dimensions to plot lines.
3. All rights-of-way.
4. Building separations.
5. Location with bearings, centerline dimensions and curve data of all roadways.
6. Location of all parking areas.
7. Preliminary sewer, water plans.
8. Drainage plans.
9. Floor area ratios:

$$\frac{\text{Floor Area}}{\text{Land Area}} = \text{F.A.R.}$$

- (2) *Consideration.* Such site plan may be considered for a formal discussion between the developer and/or his designer and the plat and site plan review committee. Discussions will involve the site plan's conformance to standards hereinafter stated.

(g) *Final site development plan.*

(1) *Submission.*

- a. A final site developmental plan shall be submitted by the developer for review by the plat and site plan review committee or the plan review section of the building, planning and zoning department. Prints shall be supplied to the planning division at least fourteen (14) calendar days prior to their meeting.
- b. Data furnished on a final site plan shall include the following information and any other information deemed necessary by the planning division.
  1. All information required for a layout site development plan.

2. Typical trash and garbage disposal system and the location of each.
  3. Landscaping plan, in conformance with section 39-68 of this chapter.
  4. Wall or fence detail, if applicable.
  5. Sign indications and detail, if applicable.
  6. Road and grading plans.
  7. Final water and sewer plans.
  8. Provisions for pretreatment of all waste water in industrial areas, as applicable.
- (2) *Consideration.* Such site plan may be considered for a formal discussion between the developer and/or his designer and the plat and site plan review committee. Discussions will involve the site plan's conformance to engineering standards, and design standards as hereinafter referenced.
- (h) *Design criteria.*
- (1) *General design.* The plat and site plan review committee or the plan review section of the building, planning and zoning department shall review site plans subject to the criteria set forth by the zoning and plat regulations and design standards as hereinafter specified.
  - (2) *Design of the vehicular circulation system.* All site development plans shall conform to street design standards as required in the plat ordinance of Broward County and to the following vehicular circulation system standards:
    - a. All site development plans shall conform to the trafficways plan, the county engineer's secondary road program, and BCTA right-of-way maps and transit facilities.
    - b. The method of handling on-site vehicular circulation shall be by segregating facilities as to function. Parking spaces terminate at parking aisles, parking aisles terminate at driveways,

driveways terminate at local streets, local streets terminate at collector streets. All sites shall provide this hierarchy as dictated by proximity to and availability of existing county facilities.

(3) *Design of parking areas.*

- a. Parking areas shall be located to minimize conflicting movements between vehicles maneuvering into parking aisles and those vehicles traveling into, out of, or through the site. Amount of parking spaces shall conform to article IX, off-street parking and loading, of this chapter.
- b. *Limitations on parking aisles.* Individual parking spaces shall not have direct access to local streets or a street of higher functional classification.
  1. All parking aisles shall terminate at a driveway.
  2. Width of parking aisles shall conform to Appendix A.

(4) *Design of driveways.* Driveways shall be designed to function as links between parking areas and local streets.

a. *Limitations of services by driveways.*

1. A driveway may service a parking area of not more than fifty (50) units or one hundred twenty-five (125) spaces.
2. Driveways may terminate at other driveways providing:
  - a. No single system of driveways services over seventy-five (75) dwelling units or one hundred eighty-eight (188) spaces.
  - b. Those driveways shall service group parking areas.
3. Parking shall be prohibited on driveways.

(5) *Design of streets.* Local streets shall be required to provide service to driveways. Local streets shall be so

designed as to discourage outside traffic to traverse the development and shall not occupy more land than is required to provide access to areas of the development.

- a. *Street rights-of-way.* Streets, including drive-ways, shall provide right-of-way widths according to the following schedule, computed from average daily vehicular trips passing a given street location and generated according to the following schedule:

TYPE	AVERAGE DAILY VEHICULAR TRIPS PER UNIT	
	SINGLE-FAMILY DETACHED	APARTMENTS
	12.0	7.0

STREET RIGHT-OF-WAY WIDTHS SHALL CONFORM TO THE FOLLOWING SCHEDULE:

# of Trips	0—85	85—199	200—550	550—7500	7500—10,000
R/W	30'	30'	34'	42'	50'
Swale Pavement	5* 20** 5*	4* 22** 4*	5* 24** 5*	9* 24** 9*	13* 24** 13*
Lanes	2	2	2	2	2
Classification		Driveway		Local	

# of Trips	10,000—20,000	15,000—25,000	20,000—30,000	30,000
R/W	60'	70'	80'	106'
Swale Pavement	18* 24** 18*	17* 36** 17*	16* 48** 16*	17* 72** 17*
Lanes	2	3	4	6
Classification	Collector	Minor		Arterial

\*Indicates swale footage

\*\*Indicates pavement footage

In circumstances where streets are on an officially adopted trafficways plan, the right-of-way schedule will not be followed, and the allocated right-of-way shall correspond to said plan.

- b. *Dedication of streets.* The plat and site plan review committee may require the dedication of those streets whose function, as determined by the committee is the collection and conveyance of both on-site and off-site vehicular traffic to established roadways.
- c. *Construction of streets.* The plat and site plan review committee may require construction and/or widening of those off-site streets necessary to provide adequate access to the developer's site.

(i) *Location of structures on site.*

- (1) *Setbacks from private streets.* The plat and site review committee may require setbacks from private roads in circumstances where a private road may be dedicated in the future.
- (2) The main building line of all structures shall be a minimum of five (5) feet from the closest point of all parking areas.

(j) *Landscape requirements.* All sites shall be landscaped in conformance with section 39-68 of this chapter.

(k) *Interior pedestrian circulation system.* All site development plans shall provide an interior pedestrian circulation system designed to provide residents with access to their homesites and areas of interest on the site.

(l) *Location graphics.* All sites shall provide identification and direction signs allowing public vehicles to find specific location on the site.

(m) *Nonvehicular open space.* All sites, excluding business, commercial and industrial areas shall provide nonvehicular open spaces for the use of the occupants of the site, and shall be determined by the following table:

Table for Computation of Non-Vehicular Open Space

(Floor Area Ratio)	(Non-Vehicular O/S Ratio)	(Floor Area Ratio)	(Non-Vehicular O/S Ratio)
.100	6.5	.606	.66
.107	5.8	.650	.61
.115	5.2	.696	.57
.123	4.7	.746	.53
.132	4.2	.800	.50
.141	3.8	.857	.46
.152	3.5	.919	.43
.162	3.3	.985	.40
.174	3.0	1.06	.38
.187	2.8	1.13	.36
.200	2.6	1.21	.34
.214	2.4	1.30	.32
.230	2.2	1.39	.30
.246	2.0	1.49	.29
.264	1.8	1.60	.27
.283	1.7	1.72	.26
.303	1.5	1.84	.25
.325	1.4	1.97	.24
.348	1.3	2.11	.23
.373	1.2	2.26	.22
.400	1.1	2.42	.21
.429	1.0	2.60	.20
.459	.91	2.79	.20
.492	.84	2.99	.19
.523	.77	3.20	.19
.566	.71		

Three-fourths ( $\frac{3}{4}$ ) of water areas shall be given credit in computing non-vehicular open space.

(n) *Utility service.* All site development plans shall conform to Broward County minimum engineering and construction standards for water and sewer installations. New developments will connect to existing sewer treatment facilities. If such facilities are not available, the developer may use septic tanks or package sewer plants if approved by regulatory agencies. Provisions shall be made for the

abandonment and removal of said alternative facilities at such time as regional sewer systems are developed and lines are within a reasonable proximity to the site.

(o) *Trash and garbage collection.* All sites with outdoor storage of trash and garbage shall provide storage in such a manner so those containers will not be visible to the general public, this to be achieved architecturally or through landscaping. Such containers shall also be easily accessible to collection agencies without interference to vehicular traffic.

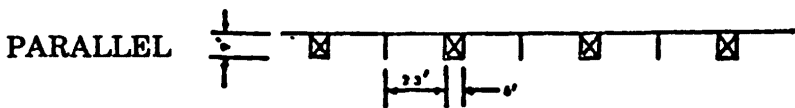
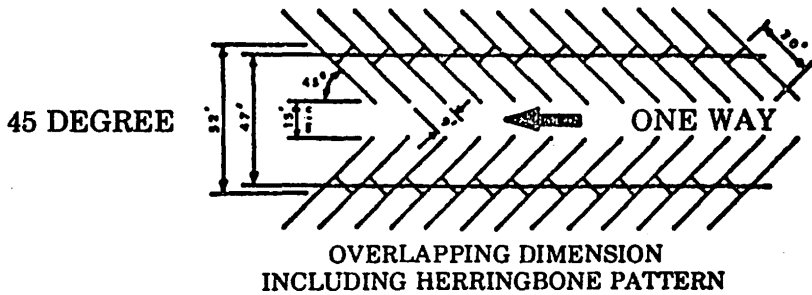
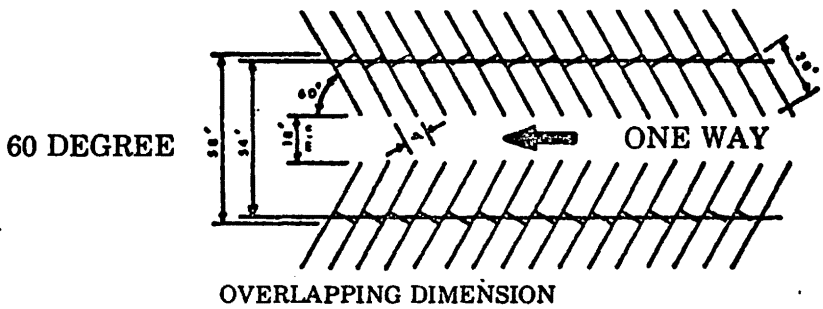
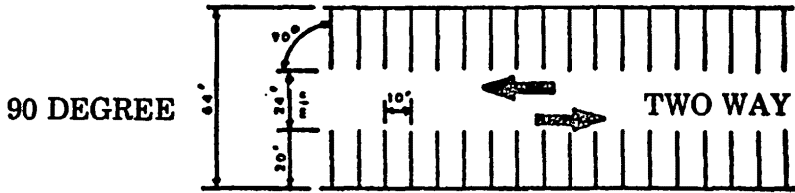
(p) *Drainage requirements.*

- (1) All sites shall provide a drainage system which ties to county facilities as appropriate.
- (2) Sites lying within drainage districts shall secure the approval of that drainage district concurrent with site development plan approval by the committee.

(q) *General engineering standards.*

- (1) All land improvements to be subject to Broward County engineering standards.
- (2) All roadways and utility lines shall be subject to review for conformity with established road and utility plans.

(r) *Time limit.* Following review and approval, there shall be one (1) year limit in which the developer shall take out a building permit on the subject property. If the developer exceeds one (1) year, the director of the building, planning and zoning department shall determine whether the plans will be resubmitted for evaluation or if an extension may be granted. (Amend. Zoning Regs., § 3.41, 7-17-73)



### Appendix A Parking Layouts

**Sec. 39-68. Density.**

(a) Density shall be defined as the number of dwelling units permitted to be constructed per acre of gross area.

(b) Acre shall mean a plot having forty-three thousand five hundred sixty (43,560) square feet.

(c) Gross area shall be all the contiguous territory included in the site development plan to which title is held by the developer.

(d) Notwithstanding any of the provisions of these regulations no zone shall be developed to a density exceeding the following maximum limits:

D-1 7 D/U per acre of gross area

R-2 12 D/U per acre of gross area

R-2U 12 D/U per acre of gross area

R-3 15 D/U per acre of gross area

R-3U 15 D/U per acre of gross area

R-4 25 D/U per acre of gross area

R-4A 25 D/U per acre of gross area

R-4B 20 D/U per acre of gross area

R-5 50 motel units per acre of gross area

R-6 60 hotel units per acre of gross area

(e) Multiple family residential structures developed in either an R-5 or R-6 zone shall not exceed a density of 25 D/U per acre of gross area. (Amend. Zoning Regs., § 3.42, 7-17-73)

**Secs. 39-69—39-78. Reserved.**

**ARTICLE IV. BASE BUILDING LINES**

**Sec. 39-79. 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 chapter 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 of 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 twenty-five (25) feet from the center line except that where the existing street lines of streets other than those listed below provide a street width equal to or greater than fifty (50) feet, 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:

<i>Street</i>	<i>Distance in feet from centerline to base building line</i>
(1) Through Section Line Roads	53
(2) Non-Through Section Line Roads	40
(3) Andrews Avenue	50
(4) North Andrews Avenue—from the S ½ of S ½ of Section 27-48-42 to N. Boundary of said Section 27	40

The Centerline of this portion of North Andrews Avenue is described as follows:

Commencing at the Northwest corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 27, Township 48 South, Range 42 East; thence run Easterly along the North line of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of said Section

27, a distance of 503.49 feet to the Point of Beginning; thence run Northerly on a line west of and parallel to the East line of said Section 27, a distance of 50.00 feet to a Point of Curvature of a circular curve to the right, having a radius of 2,864.90 feet and an interior angle of  $9^{\circ} 45' 55''$ ; thence run Northeasterly along the arc of the aforesaid curve, a distance of 488.28 feet to a Point of Tangency; thence run Northerly along the tangent produced, a distance of 500.00 feet to a Point of Curvature of a circular curve to the left, having a radius of 2,864.90 feet and an interior angle of  $9^{\circ} 45' 55''$ ; thence run Northerly along the arc of the aforesaid curve, a distance of 488.28 feet to a Point of Tangency; thence run Northerly along the tangent produced a distance of 954.02 feet to a Point of Curvature of a circular curve to the right, having a radius of 1,909.85 feet and an interior angle of  $12^{\circ} 23' 01''$ ; thence run Northerly along the arc of the aforesaid curve, a distance of 412.78 feet to a Point of Tangency; thence run Northeasterly along the tangent produced, being East of and parallel to the East right-of-way line of the Seaboard Airline Railroad, to a point of intersection with North boundary of said Section 27, said point being 360 feet, more or less, West of the Northeast corner of said Section 27.

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|---|----|
| (5) Atlantic Blvd. Extension  | 50 |
| (6) Broward Blvd. (from S.W. 24th Ave. West to Flamingo Road Extension) | 50 |

Said Broward Boulevard centerline is described as follows:

- (a) Beginning at the intersection of the centerline of S.W. 24th Avenue and the North boundary of Section 8, Township 50 South, Range 42 East, run westerly along said North boundary of Section 8 and continue westerly along the North boundary of Section 7, Township 50 South, Range 42 East to the West boundary of said Section 7;

- (b) Thence continue westerly along a line parallel to, and 43 feet northerly of the South boundaries of Sections 1 through 6, inclusive, of Township 50 South, Range 41 East;
  - (c) Thence continue westerly into Section 1, Township 50 South, Range 40 East, along the same bearing, a distance of 500 feet to the Point of Curvature of a circular curve to the right having a radius of 2,000 feet;
  - (d) Thence continue westerly along the arc of said curve to the Point of Tangency with a line;
  - (e) Thence continue westerly along said line a distance of 300 feet to the Point of Curvature of a circular curve to the left having a radius of 2,000 feet;
  - (f) Thence continue along said circular curve to the left to the Point of Tangency with the North boundary of Tract 61 of Florida Fruit Lands Co. Subdivision No. One as recorded in Plat Book 2 at Page 17 of the public records of Dade County, Florida;
  - (g) Thence run westerly along said North boundary of Tract 61 and the North boundary of Tracts 36 and 45 of said Florida Fruit Lands Co. Subdivision No. One, to the East boundary of the right-of-way for Flamingo Road Extension located on, or near, the West boundary of said Section 1, Township 50 South, Range 40 East.
- (7) Cypress Creek Road (N.E. 62nd St.) from U.S. No. 1 west to North Andrews Avenue 40

The centerline of this portion of Cypress Creek Road is described as follows:

Beginning at a point, said point being the point of intersection of the West right-of-way line of U.S. No. 1 and the East-West Quarter-Section line of Section 12, Township 49 South, Range 42 East, run westerly along

said Quarter-Section line a distance of 1,876.17 feet to the point of curvature of a circular curve to the right, having an interior angle of  $4^{\circ} 44' 33''$ , a radius of 4,567.98 feet, for an arc distance of 378.10 feet, more or less;

Thence run westerly along the centerline of N.E. 62nd Street, as shown in the plat of Imperial Point Section One as recorded in Plat Book 53, Page 44 of the public records of Broward County, to the West boundary of Section 12, Township 49 South, Range 42 East;

Thence run Westerly along the East-West Quarter-Section line through Sections 11 and 10, Township 49 South, Range 42 East to the intersection with the centerline of North Andrews Avenue.

- (8) Cypress Road (N.W. 62nd Street)  
from N. Andrews Avenue W. to  
S.R. #7 (U.S. #441)

53

The centerline of this portion of Cypress Road is described as follows:

Beginning at the point of intersection of the centerline of North Andrews Avenue and the East-West Quarter-Section line of Section 10, Township 49 South, Range 42 East; thence run westerly along said East-West Quarter-Section line through Sections 10, 9, 8 and part of 7, to the East boundary line of Lot 8, Block 96 of Palm Beach Farms No. Three as recorded in Plat Book 2, Pages 53 and 54 of public records of Palm Beach County, Florida; thence run Southerly along the East boundaries of Lots 8 and 9 of said Block 96 and a Southerly projection thereof, to an intersection with a line 27 feet, more or less south of and parallel to the South boundary of Section 7, Township 49 South, Range 42 East; thence Westerly along said line to an intersection with the East right-of-way line of State Road #7.

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|------------------------------|----|
| (9) Davie Road               | 40 |
| (10) Deerfield (S.R. 810)    | 50 |
| (11) Hammondville (S.R. 814) | 50 |

# ZONING

§ 39-79

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|--|----|
| (12) Hollywood Blvd.   | 60 |
| (13) Oakland Park Ocean Blvd.  | 50 |
| (14) Oakland Park Expressway (from<br>the East boundary of Section<br>21-49-41 to r/w for C&SFFCD<br>Levee 35.A) | 60 |

The centerline of this portion of Oakland Park Expressway is described as follows:

- (a) Beginning at a point on the East boundary of Section 21, Township 49 South, Range 41 East, said point being 60 feet North of the South boundary of said Section 21; thence run Westerly parallel to and 60 feet North of the South boundary of said Section 21, Township 49 South, Range 41 East, and Sections 20 and 19, Township 49 South, Range 41 East, to a point on the West boundary of Section 19, Township 49 South, Range 41 East, said point also being 1,557.04 feet, more or less, North of the Southeast corner of Section 24, Township 49 South, Range 40 East.
- (b) Thence run Westerly parallel to and 1,557.04 feet North of the South Boundary of Section 24, Township 49 South, Range 40 East, and Section 23, Township 49 South, Range 40 East, to a point of curvature of a circular curve to the left having a radius of 1,700 feet; thence run Southwesterly along the arc of said curve to a Point of Tangency, said Point of Tangency lying 60 feet Northwesterly of the Eastern right-of-way line of the Central and Southern Florida Flood Control District Levee L-35.A.

- |  |    |
|--|----|
| (15) Old Dixie Highway   | 40 |
| (16) Pembroke Road   | 50 |
| (17) Powerline Road  | 50 |
| (18) Powerline Road—from Prospect<br>Field Road N. to N. boundary of<br>the SE ¼ of the SE ¼ of Section<br>9-49-42 | 50 |

The centerline of this portion of Powerline Road is described as follows:

Starting at a point 50 feet East of the West line of Section 22, Township 49 South, Range 42 East and 208.61 feet south of the North line of said Section 22, said point also being the Point of Curvature of a circular curve to the left, having for its elements: An interior angle of  $6^{\circ} 33' 08''$  and a radius of 3,819.70 feet; thence Northwesterly along the arc of said curve a distance of 208.72 feet to a point on the South line of Section 15, Township 49 South, Range 42 East lying 44.30 feet east of the Southwest corner of said Section 15, said point also being the Point of Beginning; thence continuing on the aforesaid arc a distance of 228.09 feet to a Point of Tangency; thence run Northerly along the tangent produced a distance of 151.77 feet, to a Point of Curvature of a circular curve to the right, having for its elements: An interior angle of  $6^{\circ} 29' 57''$ , and a radius of 3,819.70 feet; thence run Northerly along the arc of said curve a distance of 433.08 feet, to a Point of Tangency, said point lying 17 feet west of the East line of Section 16, Township 49 South, Range 42 East; thence 17 feet west of and parallel to the East line of Section 16, Township 49 South, Range 42 East, run Northerly to the North line of said Section 16, said point also being the South line of Section 9, Township 49 South, Range 42 East; thence continue Northerly 17 feet west of and parallel to the East line of Section 9 to a point on the North line of the Southeast Quarter ( $SE \frac{1}{4}$ ) of the Southeast Quarter ( $SE \frac{1}{4}$ ) of Section 9, Township 49 South, Range 42 East.

- (19) Powerline Road—from Prospect Field Road N. to intersection with that portion described in Para. 14a 50

The centerline of this portion of Powerline Road is described as follows:

A line lying Westerly of and within 35 feet of the West right-of-way line of the Seaboard Airline Railroad, in

the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 16, Township 49 South, Range 42 East.

- (20) Powerline Road—from Hammondville Road to Palm Beach County line, excepting portions in City of Lakeview and Deerfield Beach 50

The centerline of this portion of Powerline Road is described as follows:

Beginning at a point on the North right-of-way line of Hammondville Road, said Point lying 17 feet west of the East line of Section 33, Township 48 South, Range 42 East; thence run Northerly 17 feet west of and parallel to, the East line of Sections 33, 28, 21, 16, 9 and 4, Township 48 South, Range 42 East, and Section 33, Township 47 South, Range 42 East, to the Palm Beach County line.

- (21) Prospect Field Road 50
- (22) Race Track Road—from Old Dixie Highway to West boundary of Section 3-49-42 (excepting portion in City of Pompano Beach) 50

The centerline of this portion of Race Track Road is described as follows:

- (a) Beginning at the Southeast corner of Government Lot 2, Section 2, Township 49 South, Range 42 East; thence run westerly along the South boundary of said Government Lot 2 and Government Lots 3 and 4 of said Section 2, and Government Lots 1, 2, 3 and 4 of Section 3, Township 49 South, Range 42 East to the West boundary of said Section 3.
- (23) Race Track Road—from West boundary of Section 3-49-42 to West boundary of Section 4-49-42 40

The centerline of this portion of Race Track Road is described as follows:

- (a) Thence run westerly along the South boundary of Government Lots 1, 2, 3 and 4 in Section 4, Township 49 South, Range 42 East, to the West boundary of said Section 4.

- (24) Sheridan 53
- (25) Sheridan Street (from the East boundary of Section 10-51-41 to University Drive) 50

The centerline of this portion of Sheridan Street is described as follows:

Beginning at the Northeast corner of Section 10, Township 51 South, Range 41 East; thence run Westerly along the North boundary of said Section 10 to the East right-of-way line of University Drive.

- (26) State Road No. 7 53
- (27) Stirling Road—from E. line of Section 4-51-42 West to Sunshine State Parkway 53

The centerline of this portion of Stirling Road is described as follows:

Beginning at the Northeast corner of Section 4, Township 51 South, Range 42 East; thence run Westerly along the North lines of Sections 4, 5 and 6 of said Township and Range to the Northwest corner of said Section 6, also being the Northeast corner of Section 1, Township 51 South, Range 41 East; thence on the North line of said Section 1, run Westerly a distance of 184.86 feet to a point of curvature of a circular curve to the right having a radius of 2,864.79 feet and an interior angle of  $3^{\circ} 17' 00''$ ; thence continue Northwesterly along the arc of said curve, a distance of 164.17 feet to a Point of Tangency;

Thence on the tangent produced, continue Westerly a distance of 962.34 feet to a point of curvature of a circular curve to the left having a radius of 2,864.79 feet and an interior angle of  $6^{\circ} 59' 00''$ ; thence

continue Southwesterly along the arc of said curve a distance of 349.17 feet to a Point of Tangency;

Thence on the tangent produced, also being the centerline of Stirling Road as shown on the plat of Seminole Estates as recorded in Plat Book 21, Page 15 of the public records of Broward County, Florida;

Thence on said centerline continue in a Westerly direction a distance of 982.62 feet, more or less, to an intersection with the West boundary of the Northeast Quarter (NE  $\frac{1}{4}$ ) of said Section 1, Township 51 South, Range 41 East, at a point 4.37 feet Southerly of the Northwest corner of said Northeast Quarter (NE  $\frac{1}{4}$ );

Thence on the Westerly projection of aforesaid centerline, continue Westerly a distance of 223.06 feet to a Point of Curvature of a circular curve to the right having a radius of 2,864.79 feet, and an interior angle of  $3^{\circ} 35' 45''$ ; thence continue Westerly along the arc of the last aforesaid curve a distance of 179.80 feet to a Point of Tangency with a line 24.00 feet Southerly of and parallel to the North boundary of said Section 1;

Thence on said parallel line continue Westerly to a point on the East right-of-way line of the Sunshine State Parkway, said point also being 1,570 feet, more or less, east of the Northwest corner of said section.

- (28) Stirling Road—from Sunshine  
State Parkway to University Drive 53

The centerline of this portion of Stirling Road is described as follows:

Beginning at a point 24 feet south of the North line of the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section 2, Township 51 South, Range 41 East and 130 feet, more or less, west of the Northeast corner of aforesaid Section 2, also being the West right-of-way line of the Sunshine State Parkway; thence Westerly 200 feet, more or less, to a Point of Curvature of a circular curve to the right having a radius of 2,864.79 feet and an interior angle

of 2° 14' 47"; thence continue Westerly along the arc of the last aforesaid curve a distance of 112.32 feet to a Point of Tangency;

Thence on the tangent produced, run Northwesterly 500 feet to a Point of Curvature of a curve to the left, having a radius of 2,864.79 feet and an interior angle of 2° 14' 47"; thence continue Westerly along the arc of the last aforesaid curve a distance of 112.32 feet to a point of tangency lying on the North line of Section 2, Township 51 South, Range 41 East and 1,054.21 feet, more or less, west of the Northeast corner of Section 2;

Thence continue Westerly along the North line of Sections 2 and 3, Township 51 South, Range 41 East to the Northwest corner of said Section 3.

- (29) Stirling Road—from University  
Drive west to S.W. 148th Avenue 50

The centerline of this portion of Stirling Road is described as follows:

Beginning at the intersection of the South line of Section 33, Township 50 South, Range 41 East, and the West right-of-way line of University Drive; thence run westerly along the aforesaid South line of Sections 33, 32 and 31, all in Township 50 South, Range 41 East, and the South line of Sections 36, 35, 34, all in Township 50 South, Range 40 East, to the East right-of-way line of Southwest 148th Avenue.

- (30) Hallandale Beach Blvd. 50

- (31) University Drive (from North New  
River Canal to N. boundary of  
Section 33-49-41) 60

The centerline of this portion of University Drive is described as follows:

Beginning at a point lying on the North right-of-way line of the North New River Canal and being 111.00 feet West of the East boundary of Section 16, Township 50 South, Range 41 East, measured at a right angle to said East boundary;

Thence run northerly, parallel to and 111.00 feet West of the East line of said Section 16, to a point lying on the North boundary of said Section 16;

Thence run northerly, parallel to and 111.00 feet West of the East boundary of Section 9, Township 50 South, Range 41 East, a distance of 1,040.29 feet, more or less, to a point lying on the North boundary of Tract 6, Block 4, as shown on the plat of Everglades Plantation Company's Subdivision in Plat Book 2 at Page 7 of the public records of Dade County, Florida, said point being a Point of Curvature of a circular curve to the left, having for its elements: An interior angle of  $11^{\circ} 57' 36''$  and a radius of 7,637.13 feet;

Thence run northwesterly along the arc of the aforesaid curve, a distance of 1,594.18 feet to a Point of Tangency;

Thence run northwesterly along the tangent of the aforesaid curve, produced, a distance of 1,255.00 feet, more or less, to a Point of Curvature of a circular curve to the left having for its elements: An interior angle of  $37^{\circ} 03' 08''$  and a radius of 1,432.69 feet, said Point of Curvature lying on the North boundary of said Section 9 and being 713.22 feet westerly of the Northeast corner of said Section 9;

Thence run northwesterly along the arc of the aforesaid curve, a distance of 926.50 feet, to a Point of Tangency;

Thence run northwesterly along the tangent of the aforesaid curve, produced a distance of 394.73 feet to a Point of Curvature of a circular curve to the right, having for its elements: An interior angle of  $15^{\circ} 42' 09''$  and a radius of 1,510.00 feet;

Thence run northwesterly along the arc of the aforesaid curve a distance of 413.83 feet to a Point of Tangency;

Thence run northwesterly, along the tangent of the aforesaid curve, produced, a distance of 393.20 feet to

a Point of Curvature of a circular curve to the right, having for its elements: An interior angle of  $27^{\circ} 38' 06''$  and a radius of 1,510.00 feet;

Thence run northerly, along the arc of the aforesaid curve a distance of 728.31 feet to a Point of Tangency;

Thence run northerly, along the tangent of the aforesaid curve, produced, a distance of 249.42 feet, to a point on the East-West Quarter-Section line of Section 4, Township 50 South, Range 41 East, said point being 1,960.80 feet westerly of the East Quarter corner of said Section 4;

Thence run northerly, parallel to and 1,960.80 feet West of the East boundary of the aforesaid Section 4 and Section 33, Township 49 South, Range 41 East, to a point on the North boundary of said Section 33;

- (32) University Drive (from N. boundary of Section 33-49-41 to Palm Beach County line)

53

The centerline of this portion of University Drive is described as follows:

Beginning at a point lying on the South boundary of Section 28, Township 49 South, Range 41 East, said point being 1,960.80 feet Westerly of the Southeast corner of said Section 28 as measured along the South boundary of said Section 28;

Thence run Northerly, parallel to and 1,960.80 feet West of the East boundary of said Section 28, through said Section 28, and parallel to and 1,960.80 feet West of the East boundary of Section 21, Township 49 South, Range 41 East, a distance of 1,500.00 feet to a Point of Curvature of a circular curve to the right, having for its elements: An interior angle of  $45^{\circ} 00' 00''$  and a radius of 1,909.86 feet;

Thence run Northeasterly, along the arc of said curve, a distance of 1,500.00 feet to a Point of Tangency;

Thence run Northeasterly along the tangent of the aforesaid curve, produced, a distance of 1,190.78 feet,

more or less, to a Point of Curvature of a circular curve to the left, having for its elements: An interior angle of  $45^{\circ} 00' 00''$  and a radius of 1,909.86 feet;

Thence run Northerly, along the arc of said curve, a distance of 1,500.00 feet, to a Point of Tangency, said Point of Tangency lying on the East boundary of the aforesaid Section 21 and being 185.74 feet, more or less, Southerly of the Northeast corner of said Section 21;

Thence run Northerly, along the East boundary of said Section 21, a distance of 185.75 feet, more or less, to the Northeast corner of said Section 21; and

Beginning at the Southeast corner of Section 9, Township 49 South, Range 41 East, run Northerly along the East line of said Section 9 and the East line of Section 4, Township 49 South, Range 41 East to the Northeast corner of the aforesaid Section 4, said corner also being 1,088.35 feet, more or less, West of the Southeast corner of Section 33, Township 48 South, Range 41 East; thence run Northerly parallel to and 1,088.35 feet West of the East line of Section 33, to a point on the North boundary of the aforesaid Section 33; thence continue Northerly parallel to and 1,088.35 feet West of the East line of Section 28, Township 48 South, Range 41 East, a distance of 2,498.55 feet, more or less, to a Point of Curvature of a circular curve to the right, having an interior angle of  $33^{\circ} 45' 12''$  and a radius of 1,909.86 feet; thence Northerly along the arc of said curve, a distance of 1,125.10 feet to a Point of Tangency; thence on the tangent produced, run a distance of 800 feet to a Point of Curvature of a circular curve to the left, having an interior angle of  $33^{\circ} 45' 12''$  and a radius of 1,909.86 feet; thence Northerly along the arc of said curve, a distance of 1,125.10 feet to a Point of Tangency, said point being the Southeast corner of Section 21, Township 48 South, Range 41 East; thence run Northerly along the tangent of the aforesaid curve, produced, said tangent also being the East boundary

of said Section 21, continuing along the East boundary of Sections 21, 16, 9 and 4, Township 48 South, Range 41 East and along the East boundary of Section 33, Township 47 South, Range 41 East to the Palm Beach County line.

- (33) Davie Blvd.—Peters Road (S.W. 12th Street) Interchange (from St. Rd. 7 west to junction with Peters Road near S.W. 46th Avenue) 40

The centerline of Davie Boulevard-Peters Road is described as follows:

Beginning at a point on the East line of Section 13, Township 50 South, Range 41 East, said point being 670.11 feet South of the Northeast corner of said Section 13, said East line bearing North  $01^{\circ} 36' 43''$  West according to the Broward County Survey of 1928, run westerly along a line bearing South  $88^{\circ} 23' 17''$  West for a distance of 190.00 feet to a Point of Curvature; thence run along a circular curve to the left, having a radius of 280.00 feet, an interior angle of  $15^{\circ} 50' 52''$ , and an arc distance of 77.45 feet to a Point of Tangency;

Thence run southwesterly along a line tangent to said curve said line bearing South  $72^{\circ} 32' 25''$  West, a distance of 591.00 feet to the Point of Curvature of a circular curve to the right, having a radius of 425.00 feet, an interior angle of  $32^{\circ} 39' 22''$ , for an arc distance of 242.23 feet to a Point of Tangency;

Thence run westerly along a line tangent to said curve, on a bearing of North  $74^{\circ} 48' 13''$  West a distance of 412 feet to the Point of Curvature of a circular curve to the right having a radius of 471.57 feet, an interior angle of  $28^{\circ} 38' 53''$ , for an arc distance of 235.78 feet to a Point of Tangency;

Thence run northwesterly along a line tangent to said curve on a bearing of North  $46^{\circ} 09' 20''$  West for a distance of 670.30 feet, more or less, to the point of curvature of a circular curve to the left, having a

radius of 513.29 feet and an interior angle of  $42^{\circ} 44' 57''$  for an arc distance of 382.98 feet to a point of tangency, said point lying on the North line of Section 13, Township 50 South, Range 41 East, a distance of 2,479.85 feet, more or less, West of the Northeast corner of said Section 13.

- (34) West Atlantic Blvd. (Lyons Blvd.)  
from Pompano City Limits to  
Annapu Road (excepting portion in  
the City of Margate)

53

The centerline of this portion of West Atlantic Boulevard is described as follows:

- (a) Beginning at the Southeast corner of the SW  $\frac{1}{4}$  of Section 34, Township 48 South, Range 42 East, run northerly along the East line of said SW  $\frac{1}{4}$  a distance of 40.24 feet to the Point of Beginning;
- (b) Thence run westerly on a line with a bearing of South  $88^{\circ} 51' 15''$  West, a distance of 11.24 feet to a point; thence continue in a Westerly direction on a line with a bearing of South  $88^{\circ} 53' 52''$  West to an intersection with the West line of Section 33, Township 48 South, Range 42 East, said point of intersection being 26.71 feet North of the Southwest corner of said Section 33;
- (c) Thence continue in a westerly direction on a line with a bearing of South  $88^{\circ} 53' 52''$  West, a distance of 652 feet, more or less, to a point; thence continue in a westerly direction along a line with a bearing of North  $88^{\circ} 21' 08''$  West, a distance of 1,770 feet, more or less, to a point; thence continue in a westerly direction on a line with a bearing of South  $88^{\circ} 53' 52''$  West, a distance of 1,958 feet, more or less, to a point; thence continue in a westerly direction on a line with a bearing of South  $88^{\circ} 17' 50''$  West, a distance of 957 feet, more or less, to a point of intersection with the West line of Section 32, Township 48 South, Range 42 East, said point of

intersection being 107.30 feet North of the Southwest corner of said Section 32; thence continue in a westerly direction on a line with a bearing of South  $88^{\circ} 53' 52''$  West, a distance of 169.93 feet to a point; thence continue in a westerly direction on a line with a bearing of South  $88^{\circ} 49' 12''$  West, a distance of 2,487.59 feet, more or less, to an intersection with the East line of the SW  $\frac{1}{4}$  of Section 31, Township 48 South, Range 42 East, said point of intersection being 119.5 feet, more or less, North of the South quarter-corner of said Section 31;

- (d) Thence continue along a circular curve to the right having an interior angle of  $34^{\circ} 28' 48''$ , a radius of 1,250 feet and an arc distance of 752.24 feet to a point; thence continue along a line, tangent to said arc, having a bearing of North  $56^{\circ} 42' 00''$  West, a distance of 2,028 feet, more or less, to a point; thence continue along a circular curve to the left having an interior angle of  $33^{\circ} 30' 03''$ , a radius of 1,250 feet and an arc distance of 730.87 feet to an intersection with the West line of said Section 31, said point of intersection being 1,718.48 feet North of the Southwest corner of said Section 31; and
- (e) Beginning at a point on the East boundary of Section 34, Township 48 South, Range 41 East, said point being 48 feet South of the North boundary of the South half of said Section 34, run westerly parallel to said North boundary of the South half to the West boundary of said Section 34, this being the Western terminus of the trafficway.
- (f) In addition to Base Building Lines hereinbefore described, base building lines for approaches to bridge crossing Sunshine State Parkway are described as follows:

#### North Base Building Lines

- (g) Beginning at a point 205 feet, more or less, North of the South line of Section 32, Township 48

South, Range 42 East and lying on the East right-of-way line of the Sunshine State Parkway; thence run in an easterly direction along a line with a bearing of South  $86^{\circ} 45' 00''$  East, a distance of 613 feet, more or less, to a point, said point being 162 feet, more or less, North of the South line of said Section 32; and

- (h) Beginning at a point 957 feet, more or less, East of the West line of Section 32, Township 48 South, Range 42 East and 169 feet, more or less, North of the South line of said Section, run in an easterly direction along a line with a bearing North  $82^{\circ} 29' 00''$  East, a distance of 239 feet, more or less, to a point, said point being 196 feet, more or less, North of the South line of said Section 32; thence run South along a line parallel to the West line of said Section 32, a distance of 27 feet to a point.

#### South Base Building Lines

- (i) Beginning at a point 18 feet, more or less, North of the South line of Section 32, Township 48 South, Range 42 East and lying on the East right-of-way line of the Sunshine State Parkway; thence run in an easterly direction along a line with a bearing of North  $85^{\circ} 38' 52''$  East a distance of 715 feet, more or less, to a point, said point being 56 feet, more or less, North of the South line of Section 32, Township 48 South, Range 42 East; and
- (j) Beginning at a point 957 feet, more or less, East of the West line of Section 32, Township 48 South, Range 42 East and 63 feet, more or less, North of the South line of said Section 32, run in an easterly direction along a line with a bearing of South  $83^{\circ} 35' 08''$  East, a distance of 239 feet, more or less, to a point, said point being 36 feet, more or less, North of the South line of said Section 32; thence run North along a line parallel to the West line of said Section 32, a distance of 27 feet, more or less, to a point.

- (35) West Atlantic Blvd. (Lyons Blvd.)  
from Annapu Road to C&SFFCD  
Dike

50

The centerline of this portion of West Atlantic Boulevard is described as follows:

- (a) Beginning at a point on the East boundary of Section 33, Township 48 South, Range 41 East, said point lying 48 feet South of the North boundary of the South One-Half (S ½) of the aforesaid Section 33, said point also being a Point of Curvature of a circular curve to the right, having an interior angle of 4° 00' 00" and a radius of 5,729.58 feet;
- (b) Thence continue westerly along the arc of the aforesaid curve a distance of 400.00 feet to a Point of Tangency;
- (c) Thence continue northwesterly along the tangent of the aforesaid curve, produced, a distance of 287.95 feet to a Point of Curvature of a circular curve to the left, having an interior angle of 4° 00' 00", more or less, and a radius of 5,729.58 feet;
- (d) Thence continue westerly along the arc of the last aforesaid curve, a distance of 400.00 feet, more or less, to a point of tangency, said point of tangency lying on the East-West Quarter-Section line of Section 33, Township 48 South, Range 41 East, and being 1,086.59 feet, more or less, westerly of the East boundary of said Section 33;
- (e) Thence continue westerly along the East-West Quarter-Section line through the remainder of Section 33, Township 48 South, Range 41 East, and through Sections 32 and 31, Township 48 South, Range 41 East, and along the East-West Quarter-Section line of Section 36, Township 48 South, Range 40 East, to a point of intersection with the East right-of-way line of the Central and Southern Florida Flood Control District Levee Number L-36, said point of intersection lying 107

feet, more or less, West of the East boundary of the aforesaid Section 36.

- (36) Sample Road (U.S. No. 1 to N.E. 3rd Ave.) 50

The centerline of this section of Sample Road is described as follows:

Beginning at the point of intersection of the South line of Section 18, Township 48 South, Range 43 East and the West right-of-way line of State Road No. 5 (U.S. No. 1, Federal Highway), run westerly along the South line of said Section 18 and the South line of Section 13, Township 48 South, Range 43 East to the Southwest corner of said Section 13.

- (37) Sample Road (N.E. 3rd Ave. to Annapu Road) 53

The centerline of this section of Sample Road is described as follows:

Beginning at the Southeast corner of Section 14, Township 48 South, Range 42 East, run westerly along the South lines of Sections 14, 15, 16, 17 and 18, Township 48 South, Range 42 East, to the Southwest corner of said Section 18;

Thence run westerly along a line with a bearing of North  $89^{\circ} 28' 17''$  West, a distance of 1,053 feet to the Point of Curvature of a circular curve to the left having an interior angle of  $30^{\circ} 00' 00''$ , a radius of 1,200 feet and an arc distance of 654.50 feet;

Thence run southwesterly along a line tangent to said curve, on a bearing of South  $60^{\circ} 31' 43''$  West, a distance of 1,125 feet, more or less, to the Point of Curvature of a circular curve to the right having an interior angle of  $29^{\circ} 55' 17''$ , a radius of 1,250 feet and an arc distance of 652.24 feet to a point, said point being the point of tangency with the South line of Section 13, Township 48 South, Range 41 East;

Thence run westerly along the South lines of Sections 13, 14 and 15, Township 48 South, Range 41 East to the Southwest corner of said Section 15, said point being the Western terminus of this right-of-way.

**BRIDGE APPROACHES (Sunshine State Parkway)**

**North Base Building Lines**

Beginning at a point on the East right-of-way line of the Sunshine State Parkway, said point being 80 feet North of the South line of Section 17, Township 48 South, Range 42 East, run easterly along a line with a bearing of South 88° 39' 55" East to a point, said point lying 53 feet North of the South line of Section 16, Township 48 South, Range 42 East; and

Beginning at a point on the West right-of-way line of the Sunshine State Parkway, said point being 90 feet North of the South line of Section 17, Township 48 South, Range 42 East, run westerly along a line with a bearing of South 85° 43' 25" West to a point, said point lying 53 feet North of the South line of said Section 17.

**South Base Building Lines**

Beginning at a point on the East right-of-way line of the Sunshine State Parkway, said point being 80 feet South of the North line of Section 20, Township 48 South, Range 42 East, run easterly along a line with a bearing of North 85° 36' 42" East to a point, said point lying 53 feet South of the North line of Section 21, Township 48 South, Range 42 East; and

Beginning at a point on the West right-of-way line of the Sunshine State Parkway, said point being 90 feet South of the North line of Section 20, Township 48 South, Range 42 East, run westerly along a line with a bearing of North 88° 33' 07" West to a point, said point lying 53 feet South of the North line of said Section 20.

- (38) Sample Road (from Annapu Road  
to C&SFFCD Dike)

The centerline of this portion of Sample Road is described as follows:

- (a) Beginning at the Southeast corner of Section 16, Township 48 South, Range 41 East, run westerly along the South boundary of Sections 16, 17 and 18, Township 48 South, Range 41 East and along the South boundary of Section 13, Township 48 South, Range 40 East to the point of intersection of said South boundary and the East right-of-way line of the Central and South Florida Flood Control District Levee L-36.
- (39) Peters Road (from S.R. #7 to C&SFFCD Levee L-35A, excepting that portion in City of Plantation or any other legally constituted municipality)

- (a) State Road No. 7 to S.W. 45th Terrace

35

The centerline of this portion of Peters Road is described as follows:

- (1) Beginning at the Northeast corner of Section 13, Township 50 South, Range 41 East, run Westerly along the North boundary of said Section 13 to a point 2,479.85 feet West of said Northeast corner.
- (b) S.W. 45th Terrace to East r/w line of Sunshine State Parkway

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The centerline of this portion of Peters Road is described as follows:

- (1) Beginning at a point on the North boundary of Section 13, Township 50 South, Range 41 East, said point being 2479.85 feet West of the Northeast corner of said Section 13, run Westerly along the North boundary of said Section 13 to the Easterly right-of-way line of the Sunshine State Parkway.

- (c) East right-of-way of Sunshine State Parkway to NW corner of Section 15-50-41

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The centerline of this portion of Peters Road is described as follows:

- (1) Beginning at a point on the East right-of-way line of the Sunshine State Parkway, said point also being on the North boundary of Section 13, Township 50 South, Range 41 East, run Westerly along the North boundary of Sections 14 and 15, Township 50 South, Range 41 East to the Northwest corner of said Section 15.

- (d) Northwest corner of Section 15-50-41, said corner being common with the SE corner of Section 9-50-41, to the point of intersection with Oakland Park Boulevard

53

The centerline of this portion of Peters Road is described as follows:

- (1) Beginning at the Southeast corner of Section 9, Township 50 South, Range 41 East, run Westerly along the South boundary of said Section 9 a distance of 1000 feet to a point of curvature of a circular curve to the right having a radius of 2640 feet;
- (2) Thence run Westerly along the arc of said circular curve to a point, said point being the point of tangency with a line running parallel to, and 1500 feet Northerly of, the North right-of-way line of the North New River Canal;
- (3) Thence run Northwesterly along said Line through Sections 9, 8 and a portion of Section 7, Township 50 South, Range 41 East to a point,

said point being the point of curvature of a circular curve to the right having a radius of 2255 feet, more or less;

- (4) Thence run Northerly along the arc of the last aforesaid curve a distance of 2965 feet, more or less, to a point of tangency with the East boundary of the West One-Half of the West One-Half of Section 7, Township 50 South, Range 41 East;
- (5) Thence run Northerly along the said East boundary through the remainder of Section 7, Township 50 South, Range 41 East and along the East boundary of the West One-Half of the West One-Half of Section 6, Township 50 South, Range 41 East, and Sections 31 and 30, Township 49 South, Range 41 East to a point on the North boundary of said Section 30, said point also lying on the South base building line of Oakland Park Boulevard.
- (e) North boundary of Section 30-49-41 to point lying on South boundary of Section 12-49-40 and being 50' West of West line of Section 18-49-41

50

The centerline of this portion of Peters Road is described as follows:

- (1) Beginning at a point on the North boundary of Section 30, Township 49 South, Range 41 East, said point also being the Northeast corner of the West One-Half of the West One-Half of said Section 30; thence run Northerly along the East boundary of the West One-Half of Section 19, Township 49 South, Range 41 East and along the East boundary of the West One-Half of the West One-Half of Section 18, Township 49 South, Range 41 East to a point of curvature lying 200.00 feet North of the South boundary of said Section 18;

- (2) Thence run Northwesterly along the arc of a circular curve to the left having a radius of 1198.06 feet and an interior angle of  $30^{\circ} 30' 00''$  a distance of 637.76 feet to a point of tangency; thence run Northwesterly along the tangent of the last aforesaid curb produced a distance of 1679.56 feet, more or less, to a point of curvature;
- (3) Thence run Northerly along the arc of a circular curve to the right having a radius of 1145.92 feet and an interior angle of  $30^{\circ} 30' 00''$  a distance of 610.00 feet to a point of tangency; thence run Northerly along the tangent of the last curve produced, said line being 50.00 feet West of and parallel to the West boundary of Section 18, Township 49 South, Range 41 East, a distance of 884 feet, more or less, to a point on the South boundary of Section 12, Township 49 South, Range 40 East, said point lying 50.00 feet West of the Southeast corner of said Section 12.
- (40) Sunrise Blvd. (from N.W. 70th Avenue West to Oakland Park Blvd., excepting that portion within the City of Plantation) 53

The centerline of this portion of Sunrise Boulevard is described as follows:

- (a) Beginning at a point on the West boundary of the Plat entitled Replat of a Portion of Plantation Sunrise Heights First Addition as recorded in Plat Book 57 at Page 42 of the public records of Broward County, Florida, said point lying 566 feet, measured at a right angle, South of the North boundary of Section 34, Township 49 South, Range 41 East; thence run Westerly parallel to and 566 feet South of the aforesaid North boundary of Section 34, and Sections 33, 32 and 31, Township 49 South, Range 41 East;

- (b) Thence run Westerly along a projection of the aforesaid centerline to a point lying 100 feet West of the West right-of-way line of C&SFFCD Canal C-42 in Section 25, Township 49 South, Range 40 East, said point being the Point of Curvature of a circular curve to the left having a radius of 1637.02 feet;
  - (c) Thence run Southwesterly along the arc of said curve to a Point of Tangency; thence run Southwesterly along the tangent of the aforesaid curve produced a distance of 845 feet, more or less, to a Point of Curvature of a circular curve to the right having a radius of 1637.02 feet; thence run Westerly along the arc of the last aforesaid curb to a Point of Tangency, said Point of Tangency also being the Southwest corner of the Southeast One-Quarter (SE¼) of Section 25, Township 49 South, Range 40 East;
  - (d) Thence run Westerly along the South boundary of Sections 25, 26, and 27, Township 49 South, Range 40 East to a point of intersection with Oakland Park Boulevard.
- (41) N.E. and N.W. 44th Street (East portion of Prospect Field Rd. from Old Dixie Highway to Twin Lakes) 50

The centerline of this portion of N.W. and N.E. 44th Street is described as follows:

Beginning at the Point of Intersection of the West right-of-way line of Old Dixie Highway and the South boundary of Section 14, Township 49 South, Range 42 East, run Westerly along said South boundary of Section 14 and along the South boundary of Section 15, Township 49 South, Range 42 East to the Southwest corner thereof.

- (42) N.E. 50th Street (Old Prospect Road) from F.E.C. Railroad to Old Dixie Highway 50

The centerline of this portion of N.E. 50th Street is described as follows:

Beginning at a point lying at the intersection of the East-West Quarter-Section line of Section 14, Township 49 South, Range 42 East and the F.E.C. Railroad, run Westerly along said Quarter-Section line to a point lying at the intersection of said Quarter-Section line and the centerline of Old Dixie Highway, as built.

- (43) N.E.-N.W. 50th Street (Old Prospect Road) from Old Dixie Highway west to Fort Lauderdale Executive Airport

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The centerline of this portion of N.E.-N.W. 50th Street is described as follows:

Beginning at the intersection of the centerline of Old Dixie Highway and the East-West Quarter-Section line of Section 14, Township 49 South, Range 42 East, run westerly along said Quarter-Section line to the west Quarter corner of Section 14, Township 49 South, Range 42 East;

Thence continue westerly along the East-West Quarter Section line to the West Quarter corner of Section 15, Township 49 South, Range 42 East;

Thence continue westerly along the East-West Quarter-Section line of Section 16, Township 49 South, Range 42 East, a distance of 1310.0 feet, more or less to a point on the East boundary of the Fort Lauderdale Executive Airport (Prospect Field).

- (44) Hillsboro Boulevard (from State Road No. 7 to C&SFFCD Dike)

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The centerline of this portion of Hillsboro Boulevard is described as follows:

- (a) Beginning at a point on the East boundary of Section 1, Township 48 South, Range 41 East, said point lying 874.07 feet southerly from the

Northeast corner of said Section 1, said point also lying at the intersection of the aforesaid East boundary of Section 1 and the centerline of Hillsboro Boulevard (State Road 810);

- (b) Thence run westerly along a line having a bearing of South  $89^{\circ} 57' 53''$  West, a distance of 1039.22 feet to a Point of Curvature of a circular curve to the left, having an interior angle of  $44^{\circ} 29' 43''$  and a radius of 2219.72 feet;
- (c) Thence run southwesterly along the arc of the aforesaid curve a distance of 1723.81 feet to a Point of Tangency;
- (d) Thence run southwesterly along the tangent of the aforesaid curve produced a distance of 2322.26 feet, more or less, to a Point of Curvature of a circular curve to the right having an interior angle of  $45^{\circ} 00' 00''$  and a radius of 1041.74 feet;
- (e) Thence run westerly along the arc of the last aforesaid curve a distance of 818.18 feet to a Point of Tangency, said Point of Tangency lying on the East and West line dividing Section 1, Township 48 South, Range 41 East into two equal portions and being 265.51 feet, more or less, easterly of the Western boundary of the aforesaid Section 1;
- (f) Thence run westerly along the aforesaid East and West line a distance of 265.51 feet, more or less, to a point on the West boundary of Section 1, Township 48 South, Range 41 East, said point also lying on the centerline of the right-of-way for Holmberg Road, as described in Deed Book 232 at Page 75 of the public records of Broward County, Florida;
- (g) Thence run westerly in Section 2, Township 48 South, Range 41 East, along the centerline of the right-of-way described in Deed Book 232 at Page 77 of the public records of Broward County, Florida, and along the centerline of the right-of-way described in Deed Book 724 at Page 104 of the

public records of Broward County, Florida, to a point lying on the West boundary of the aforesaid Section 2;

- (h) Thence run westerly in Section 3, Township 48 South, Range 41 East along the South boundary of that parcel of land described in Official Record Book 1378 at Page 581 of the public records of Broward County, Florida, to the center of said Section 3;
  - (i) Thence run westerly along the centerline of the right-of-way described in Official Record Book 1378 at Page 586 of the public records of Broward County, Florida, for a distance of 1320.00 feet, more or less, to the Southeast corner of that parcel of land described in Official Record Book 1378 at Page 583 of the public records of Broward County, Florida;
  - (j) Thence run westerly along the South boundary of that parcel of land described in Official Record Book 1378 at Page 583 of the public records of Broward County, Florida, to the West boundary of Section 3, Township 48 South, Range 41 East;
  - (k) Thence run westerly in Section 4, Township 48 South, Range 41 East along the centerline of the right-of-way described in Official Record Book 1378 at Page 586 of the public records of Broward County, Florida, to the West boundary of said Section 4, said point also being the West Quarter corner of said Section 4;
  - (l) Thence run westerly in Section 5, Township 48 South, Range 41 East through the center of section to the West Quarter corner of said Section 5, and through the center of section to the West Quarter corner of Section 6, Township 48 South, Range 41 East.
- (45) Margate Boulevard from N.W. 66th Avenue to C&SFFCD Dike (excepting portion in the City of Margate)

The centerline of this portion of Margate Boulevard is described as follows:

- (a) Beginning at the intersection of the East boundary of Section 27, Township 48 South, Range 41 East, and the North boundary of the South One-Half (S½) of the South One-Half (S½) of said Section 27, run westerly along the said North boundary through Sections 27, 28, 29 and 30, Township 48 South, Range 41 East, and along a projection of the aforesaid line through Section 25, Township 48 South, Range 40 East, to an intersection with the East right-of-way line of the Central and South Florida Flood Control District Levee L-36.

- (46) Ibex Boulevard from N.W. 65th Avenue to C&SFFCD Dike (excepting portion in the City of Margate)

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The centerline of this portion of Ibex Boulevard is described as follows:

- (a) Beginning at a point on the East boundary of Section 26, Township 48 South, Range 41 East, said point lying 1535.53 feet southerly of the Northeast corner of said Section 26, run westerly along a line bearing North 88° 29' 05" West a distance of 260.00 feet to a point of curvature of a circular curve to the right having an interior angle of 22° 37' 00" and a radius of 2291.83 feet;
- (b) Thence run northwesterly along the arc of the aforesaid curve a distance of 904.67 feet to a Point of Tangency;
- (c) Thence run northwesterly along the tangent of the aforesaid curve, produced, a distance of 3085.53 feet to a Point of Curvature of a circular curve to the left, having an interior angle of 22° 34' 06", more or less, and a radius of 2291.83 feet;
- (d) Thence run westerly along the arc of the last aforesaid curve, a distance of 902.73 feet, more or

less, to a Point of Tangency, said Point of Tangency lying on the North boundary of the aforesaid Section 26;

- (e) Thence run westerly along the aforesaid North boundary a distance of 451.23 feet, more or less, to the Northwest corner of Section 26, Township 48 South, Range 41 East;
  - (f) Thence run westerly along the North boundary of Sections 27, 28, 29 and 30, Township 48 South, Range 41 East, and along a projection of this same line, through Section 24, Township 48 South, Range 40 East to an intersection with the East right-of-way line of the Central and Southern Florida Flood Control District Levee L-36.
- (47) Wiles Road (from State Road No. 7  
to C&SFFCD Dike) 50
- (a) Beginning at the Northeast corner of Section 13, Township 48 South, Range 41 East, run westerly along the North boundary of said Section 13 and Section 14, Township 48 South, Range 41 East to the Northwest corner of said Section 14;
  - (b) Thence run westerly along the North boundary of Section 15, Township 48 South, Range 41 East, and Section 16, Township 48 South, Range 41 East to the Northwest corner of said Section 16;
  - (c) Thence run westerly along the North boundary of Section 17, Township 48 South, Range 41 East and Section 18, Township 48 South, Range 41 East to the Northwest corner of said Section 18;
  - (d) Thence run westerly along the North boundary of Section 12, Township 48 South, Range 40 East to the point of intersection of said North boundary and the East right-of-way line of the Central and Southern Florida Flood Control District Levee L-36.

- (48) Holmberg Road (from State Road  
No. 7 to Hillsboro Boulevard) 50

The centerline of this portion of Holmberg Road is described as follows:

- (a) Beginning at the East Quarter-Section corner of Section 1, Township 48 South, Range 41 East, run westerly along the East-West Quarter-Section line of the said Section 1 to West Quarter-Section corner thereof.

- (49) Rock Island Road (from Oakland  
Park Blvd. northerly to southerly  
right-of-way line of Hillsboro  
Canal) 50

The centerline of this portion of Rock Island Road is described as follows:

- (a) Beginning at a point on the South boundary of Section 23, Township 49 South, Range 41 East, said South boundary bearing South  $89^{\circ} 29' 41''$  West, said point lying 1080.17 feet westerly of the Southeast corner of said section 23; thence run northerly along a line bearing North  $0^{\circ} 30' 31''$  West a distance of 77.62 feet to a Point of Curvature of a circular curve to the right having a radius of 502.47 feet and an interior angle of  $62^{\circ} 32' 48''$ ; thence run northeasterly along the arc of the aforesaid curve a distance of 548.51 feet to a Point of Tangency;
- (b) Thence run northeasterly along the tangent of the aforesaid curve produced a distance of 195.08 feet to a Point of Curvature of a circular curve to the left having a radius of 452.47 feet and an interior angle of  $63^{\circ} 28' 58''$ ; thence run northerly along the arc of the last aforesaid curve a distance of 501.32 feet to a Point of Tangency, said Point of Tangency lying 50.00 feet West of the West right-of-way line of the Sunshine State Parkway and 300.48 feet, more or less, South of the North boundary of Tract 16 of the plat of Fort

Lauderdale Truck Farms as recorded in Plat Book 4 at Page 31 of the public records of Broward County, Florida;

- (c) Thence run northerly along the tangent of the last aforesaid curve produced, said line bearing North  $1^{\circ} 26' 41''$  West and being 50.00 feet West of and parallel to the West right-of-way line of the Sunshine State Parkway, a distance of 1927.28 feet to a Point of Curvature of a circular curve to the right having a radius of 7839.44 feet and an interior angle of  $14^{\circ} 03' 52''$ ; thence run northeasterly along the arc of the last aforesaid curve a distance of 1924.35 feet to a Point of Tangency;
- (d) Thence run northeasterly along the tangent of the last aforesaid curve produced a distance of 200.00 feet to a Point of Curvature of a circular curve to the left having a radius of 3113.27 feet and an interior angle of  $14^{\circ} 07' 34''$ ; thence run northerly along the arc of the last aforesaid curve a distance of 760.72 feet to a Point of Tangency, said point lying on the East boundary of Section 14, Township 49 South, Range 41 East and being 477.78 feet northerly of the Southeast corner of said Section 14;
- (e) Thence run northerly along the East boundary of Sections 14, 11 and 2, Township 49 South, Range 41 East, to the Northeast corner of said Section 2, said Northeast corner of Section 2 lying on the line separating Township 48 and Township 49 and being 1095.12 feet West of the Southeast corner of Section 35, Township 48 South, Range 41 East;
- (f) Thence run northerly, parallel to and 1095.12 feet West of the East line of Sections 35 and 26, Township 48 South, Range 41 East, to a point on the North boundary of said Section 26; thence run northerly, parallel to and 1095.12 feet West of the East boundary of Section 23, Township 48 South, Range 41 East, a distance of 190 feet, more or

less, to a Point of Curvature of a circular curve to the right having a radius of 1925.72 feet and an interior angle of  $29^{\circ} 16' 02''$ ; thence run northeasterly along the arc of the last aforesaid curve a distance of 983.67 feet to a Point of Tangency; thence run northeasterly along the tangent of the last aforesaid curve produced a distance of 1240.81 feet, more or less, to a Point of Curvature of a circular curve to the left having a radius of 1762.95 feet and an interior angle of  $29^{\circ} 37' 58''$ , more or less; thence run northerly along the arc of the last aforesaid curve a distance of 911.78 feet, more or less, to a Point of Tangency, said Point of Tangency lying on the East boundary of Section 23, Township 48 South, Range 41 East and being 466.33 feet North of the East Quarter corner of said Section 23.

- (g) Thence run northerly along the East boundary of Sections 23, 14, 11 and 2, Township 48 South, Range 41 East, and along the East boundary of Section 35, Township 47 South, Range 41 East, to a point lying at the intersection of the East boundary of said Section 35 and the South right-of-way line of the Hillsboro Canal.
- (50) Hillsboro Blvd. from State Road No. 7 to the N-S  $\frac{1}{4}$  Section line of Section 2-48-42 (excepting portions in the City of Deerfield Beach and the City of Lakeview) 53

The centerline of this portion of Hillsboro Blvd. is described as follows:

- (a) Beginning at the Northwest corner of Section 6, Township 48 South, Range 42 East; thence run South  $0^{\circ} 32' 34''$  West along the West line of said Section 6 a distance of 874.07 feet to the point of beginning; thence run North  $88^{\circ} 59' 14''$  East to the North-South Quarter-Section line of Section

5, Township 48 South, Range 42 East, said point lying 941.57 feet southerly of the North Quarter corner of said Section 5;

- (b) Thence run North  $88^{\circ} 51' 58''$  East a distance of 899.21 feet to a Point of Curvature of a circular curve to the left having a radius of 5729.58 feet and a central angle of  $1^{\circ} 26' 30''$ ; thence run northeasterly along the arc of said curve a distance of 144.17 feet to a Point of Tangency; thence run North  $87^{\circ} 25' 28''$  a distance of 2412.68 feet to the Point of Curvature of a circular curve to the right having a radius of 5729.58 feet and a central angle of  $00^{\circ} 51' 27''$ ; thence run southeasterly along the arc of the last aforesaid curve a distance of 85.75 feet to a Point of Tangency; thence run North  $88^{\circ} 16' 55''$  East a distance of 1826.08 feet to a point on the North-South Quarter-Section line of Section 4, Township 48 South, Range 42 East;
- (c) Thence run North  $88^{\circ} 29' 11''$  East a distance of 2700.15 feet to a point on the East boundary of Section 4, Township 48 South, Range 42 East, said point lying 868.05 feet southerly of the Northeast corner of said Section 4;
- (d) Thence run North  $88^{\circ} 36' 59''$  East a distance of 2227.68 feet to a Point of Curvature of a circular curve to the right having a radius of 5729.58 feet and a central angle of  $00^{\circ} 40' 04''$ ; thence run southeasterly along the arc of the last aforesaid curve a distance of 66.78 feet to a Point of Tangency; thence run North  $89^{\circ} 17' 03''$  East a distance of 2807.56 feet to a Point of Curvature of a circular curve to the left having a radius of 5729.58 feet and a central angle of  $00^{\circ} 52' 58''$ ; thence run Northeasterly along the arc of the last aforesaid curve a distance of 88.28 feet to a Point of Tangency; thence run North  $88^{\circ} 24' 05''$  East a distance of 129.46 feet to a point on the East

boundary of Section 3, Township 48 South, Range 42 East, said point lying 912.24 feet southerly of the Northeast corner of said Section 3;

- (e) Thence run North  $88^{\circ} 24' 05''$  East a distance of 2678.00 feet to a point on the North-South Quarter-Section line of Section 2, Township 48 South, Range 42 East, said point lying 899.40 feet southerly of the North Quarter corner of said Section 2, said point also being the point of intersection with the westerly city limits of the City of Deerfield Beach.

- (51) Commercial Boulevard from State Road No. 7 to the C&SFFCD Levee, L-36

53

Beginning at the intersection of the west right-of-way line of State Road No. 7 (U.S. 441) and the south line of Lot 8 of the Plat of Fort Lauderdale Truck Farms Subdivision as recorded in Plat Book 4, Page 31 of the public records of Broward County, Florida, and lying in Section 13, Township 49 South, Range 41 East; thence run westerly on a bearing of  $N. 89^{\circ} 15' 42'' W.$  along the south line of said Lot 8, for a distance of 400 feet, to a Point of Curvature of a circular curve to the right; thence run northwesterly along the arc of said circular curve to the right, having a radius of 954.93 feet, for an arc distance of 845.13 feet to a Point of Tangency; thence run northwesterly along a line bearing  $N. 38^{\circ} 33' 14'' W.$  a distance of 1935.10 feet more or less to the centerline of Sunshine State Parkway; thence continue northwesterly along the same bearing of  $N. 38^{\circ} 33' 14'' W.$  a distance of 575.86 feet more or less to a Point of Curvature of a circular curve to the left; thence run westerly along the arc of said circular curve to the left having a radius of 954.93 feet for an arc distance of 843.38 feet to a Point of Tangency; said point lying on the North line of said Section 13; thence run westerly on a bearing of  $N. 89^{\circ} 09' 25'' W.$  along the North line of said Section 13 to the N.W. corner thereof; thence continue westerly along the North line of Sections 14, 15, 16, 17 and 18,

all of Township 49 South, Range 41 East, to the N.W. corner of said Section 18, or to the East right-of-way line of the North-South Arterial Highway nearest Levee, L-36 of the C&SFFCD, whichever is reached first.

- (52) McNab Road—from C&SFFCD  
Canal C-14 to Old Dixie Highway 40

The centerline of this portion of McNab Road is described as follows:

Beginning at a point on the West right-of-way line of the Central and Southern Florida Flood Control District Canal C-14, said point lying five (5) feet south of the North line of Section 12, Township 49 South, Range 42 East, run Westerly a distance of 894.44 feet to the Northwest corner of said Section 12;

Thence run Westerly along the North line of Section 11, Township 49 South, Range 42 East, to an intersection with a Northerly projection of the West line of the subdivision of Boulevard Park Isles Section Four as described in Plat Book 53 at Page 39 of the public records of Broward County, Florida;

Thence run Westerly a distance of 673 feet, more or less, to an intersection with a Southerly projection of the West line of the subdivision of Lyons Park First Addition, as recorded in Plat Book 40 at Page 2 of the public records of Broward County, Florida, said point of intersection lying 5.19 feet south of the North line of said Section 11 along said projection;

Thence run Westerly to a point on the East right-of-way line of Old Dixie Highway, said point lying five feet south of the North boundary of Section 11, Township 49 South, Range 42 East.

- (53) McNab Road—from old Dixie  
Highway to the SW corner of  
Section 5-49-42 50

The centerline of this portion of McNab Road is described as follows:

Beginning at a point on the West right-of-way line of Old Dixie Highway, said point lying 15 feet south of the North boundary of Section 11, Township 49 South, Range 42 East, run Westerly along a line 15 feet south of and parallel to said North boundary to the West boundary of said Section 11;

Thence run Westerly to the point of intersection of the centerline of North Andrews Avenue and the South boundary of Section 3, Township 49 South, Range 42 East;

Thence run Westerly along the South boundary of Sections 3, 4 and 5, Township 49 South, Range 42 East, to the Southwest corner of said Section 5.

- (54) McNab Road from SW corner of  
Section 5-49-42 to Easterly r/w of  
Sunshine State Parkway 40

The centerline of this portion of McNab Road is described as follows:

- (a) Beginning at a point lying at the Southwest corner of Section 5, Township 49 South, Range 42 East; thence run Westerly along the South boundary of Section 6, Township 49 South, Range 42 East, to a point 50 feet West of the Easterly right-of-way line of the Sunshine State Parkway.
- (55) Flamingo Road (from point on  
South r/w line of S.R. #84 north to  
r/w of C&SFFCD Levee L-36)
- (a) State Road No. 84 to Oakland  
Park Boulevard in Section  
24-49-40 53

The centerline of this portion of Flamingo Road is described as follows:

- (1) Beginning at a point on the South right-of-way line of State Road No. 84, said point lying 124.61 feet Easterly of the West boundary of Section 12, Township 50 South, Range 40

East, as measured along said South right-of-way line; thence run Northeasterly along a line at right angles to the aforesaid South right-of-way line of S.R. #84 a distance of 480.00 feet to a Point of Curvature of a circular curve to the left having a radius of 1909.86 feet and an interior angle of  $14^{\circ} 48' 09''$ , more or less; thence run Northerly along the arc of the aforesaid curve a distance of 493.42 feet to a Point of Tangency, said Point of Tangency lying 305.33 feet East of the West boundary of Section 1, Township 50, Range 40 East;

- (2) Thence run Northerly along the tangent of the aforesaid curve produced, said tangent being parallel to and 305.33 feet East of the aforesaid West boundary of Section 1, a distance of 4092.95 feet, more or less, to a Point of Curvature of a circular curve to the left having a radius of 1909.86 feet and an interior angle of  $16^{\circ} 57' 49''$ ; thence run Northwesterly along the arc of the last aforesaid curve a distance of 565.48 feet to the Point of Tangency; thence run Northwesterly along the tangent of the last aforesaid curve produced a distance of 476.26 feet to a Point of Curvature of the circular curve to the right having a radius of 1909.86 feet and an interior angle of  $16^{\circ} 57' 49''$ ; thence run Northerly along the arc of the last aforesaid curve a distance of 566.67 feet to a Point of Tangency, said Point of Tangency also being the Southwest corner of Section 36, Township 49 South, Range 40 East;
  - (3) Thence run Northerly along the West boundary of said Section 36, and Sections 25 and 24, all of Township 49 South, Range 40 East, to the centerline of Oakland Park Boulevard.
- (b) Oakland Park Boulevard in  
Section 24-49-40 northerly to

C&SFFCD Levee L-36 plus 50  
feet, more or less

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The centerline of this portion of Flamingo Road is described as follows:

- (1) Thence run Northerly along the West boundary of the aforesaid Section 24, to the Northwest corner of Section 24, Township 49 South, Range 40 East; thence continue Northerly along the West line of Section 13, Township 49 South, Range 40 East a distance of 50 feet, more or less.
- (56) Lyons Road (from N. r/w line of Sunshine State Parkway North to W. Atlantic Blvd., excepting that portion lying in any legally constituted municipality)

41.50

The centerline of this portion of Lyons Road is described as follows:

- (a) Beginning at a point, said point lying 50.00 feet South of the Northerly right-of-way line of the Sunshine State Parkway, measured along the East boundary of Section 6, Township 49 South, Range 42 East, and 11.50 feet West of the said East boundary of Section 6, measured at right angles; thence run Northerly along a line parallel to and 11.50 feet West of the said East line of Section 6 a distance of 3,323.90 feet, more or less, to a Point of Curvature;
- (b) Thence run Northeasterly along the arc of a circular curve to the right, having a radius of 1,909.86 feet and an interior angle of  $2^{\circ} 27' 52''$  a distance of 82.15 feet to a Point of Tangency; thence run Northeasterly along the tangent of said curve produced a distance of 417.84 feet to a Point of Curvature;
- (c) Thence run Northerly along the arc of a circular curve to the left, having a radius of 1,909.86 feet

and an interior angle of  $2^{\circ} 27' 52''$  a distance of 82.15 feet to a Point of Tangency; thence run Northerly along the tangent of the last aforesaid curve produced, said tangent lying 10.00 feet East of, and parallel to the East boundary of Section 6, Township 49 South, Range 42 East, a distance of 50.00 feet, more or less, to the South right-of-way line of C&SFFCD Canal C-14; thence continue Northerly along aforesaid tangent and a Northerly projection thereof a distance of 270.00 feet to a point lying on the Northerly right-of-way line of said C-14 Canal.

- (57) Lyons Road (from W. Atlantic Blvd. to St. Rd. #810, excepting that portion lying in any legally constituted municipality)

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The centerline of this portion of Lyons Road is described as follows:

- (a) Beginning at a point on the Northerly right-of-way line of C-14 Canal, said point lying on a Northerly projection of a line 10.00 feet east of and parallel to the East line of Section 6, Township 49 South, Range 42 East, said point also being a Point of Curvature;
- (b) Thence run Northeasterly along the arc of a circular curve to the right having a radius of 490.00 feet and an interior angle of  $49^{\circ} 50' 23''$  a distance of 426.23 feet to a Point of Tangency; thence run Northeasterly along the tangent of the last aforesaid curve a distance of 248.41 feet to a Point of Curvature;
- (c) Thence run Northerly along the arc of a circular curve to the left, having a radius of 750.00 feet and an interior angle of  $49^{\circ} 08' 43''$  a distance of 643.31 feet to a Point of Tangency; thence run Northerly along the tangent of the last aforesaid curve produced a distance of 1,222.22 feet to a Point of Curvature.

- (d) Thence run Northeasterly along the arc of a circular curve to the right, having a radius of 790.00 feet and an interior angle of  $6^{\circ} 01' 30''$  a distance of 83.07 feet to a Point of Tangency; thence run Northeasterly along the tangent of the last aforesaid curve produced a distance of 260.02 feet to a Point of Curvature;
- (e) Thence run Northerly along the arc of a circular curve to the left, having a radius of 1,510.00 feet and an interior angle of  $6^{\circ} 01' 30''$  a distance of 158.79 feet to a Point of Tangency; thence run Northerly along the tangent of the last aforesaid curve produced, a distance of 2,083.86 feet, more or less, to a point on the South right-of-way line of State Road No. 814;
- (f) Thence run Northerly along a line lying 10.00 feet East of and parallel to the centerline of the fifty-foot road separating blocks 92 and 93 of the plat of Palm Beach Farms, as recorded in Plat Book 2 at Page 54 of the public records of Palm Beach County, Florida, a distance of 300.00 feet, more or less, to a Point of Curvature;
- (g) Thence run Northwesterly along the arc of a circular curve to the left, having a radius of 5,729.58 feet and an interior angle of  $1^{\circ} 30' 00''$  a distance of 150.00 feet to a Point of Tangency; thence run Northwesterly along the tangent of the last aforesaid curve produced a distance of 232.27 feet to a Point of Curvature;
- (h) Thence run Northerly, along the arc of a circular curve to the right, having a radius of 5,729.58 feet and an interior angle of  $1^{\circ} 30' 00''$  a distance of 150.00 feet to a Point of Tangency lying on the centerline of the fifty-foot road separating Blocks 92 and 93 of the plat of Palm Beach Farms as recorded in Plat Book 2 at Page 54 of the public records of Palm Beach County, Florida;
- (i) Thence run Northerly along the centerline of the aforesaid fifty-foot road separating Blocks 92 and

93, 90 and 91, 88 and 89, 86 and 87, and 84 and 85, all shown on the plat of Palm Beach Farms as recorded in Plat Book 2 at Pages 54 and 53 of the public records of Palm Beach County, Florida, to a point of intersection with Hillsboro Boulevard (State Road No. 810).

- (58) North County Line Road—from  
Northeast corner of Section 34-  
47-41 to East right-of-way line of  
C&SFFCD Levee L-36, less portion  
in Palm Beach County 50

The centerline of this portion of North County Line Road is described as follows:

- (a) Beginning at the Northeast corner of Section 34, Township 47 South, Range 41 East, run Westerly along the North boundary of said Section 34, and Sections 33, 32, and 31, all in Township 47 South, Range 41 East, and the North boundary of Section 25, Township 47 South, Range 40 East to a point of intersection with the C&SFFCD Levee L-36.

- (59) S.W. and N.W. 31st Avenue—Win-  
gate Road—McArthur Dairy  
Farm Road from Davie Blvd. north  
to Sunshine State Parkway, (ex-  
cepting portions within any legally  
constituted municipality) 40

The centerline of this portion of S.W. and N.W. 31st Avenue is described as follows:

- (a) Davie Boulevard to West Quarter corner of Section 5, Township 50 South, Range 42 East.
- (1) Beginning at the S.W. corner of Section 8, Township 50 South, Range 42 East; thence run Northerly along the West boundary of Sections 8 and 5, Township 50 South, Range 42 East to the West Quarter corner of said Section 5, the West Quarter corner being on

the North boundary of the South One-Half (S½) of Section 5, Township 50 South, Range 42 East.

- (b) West Quarter corner of Section 5-50-42 to North right-of-way line of C&SFFCD Canal C-12.
  - (1) Beginning at a point on the East-West Quarter-Section line of Section 5, Township 50 South, Range 42 East, said point lying 17.0 feet East of the West Quarter corner of said Section 5; thence run Northerly 17.0 feet East of and parallel to the West boundary of said Section 5, to a point of intersection with the North right-of-way line of C&SFFCD Canal C-12.
- (c) North r/w line of C&SFFCD Canal C-12 to South r/w line of Sunrise Blvd.

The East Base Building Line of this portion of N.W. 31st Avenue is described as follows:

- (1) Beginning at a point on the North right-of-way line of the C&SFFCD Canal C-12, said point lying 70.00 feet measured at right angles, east of the West boundary of Section 5, Township 50 South, Range 42 East; thence run Northerly 70.00 feet East of and parallel to the said West boundary of Section 5, to a point of intersection with the South right-of-way line of Sunrise Boulevard.

The West Base Building Line of this portion of N.W. 31st Avenue is described as follows:

- (1) Beginning at a point on the North right-of-way line of the C&SFFCD Canal C-12, said point lying 36 feet, measured at right angles, west of the East boundary of Section 6, Township 50 South, Range 42 East; thence run Northerly 36 feet West of and parallel to the East boundary of said Section 6, to a

Point of Curvature lying 119.59 feet North of the North right-of-way line of the C&SFFCD Canal C-12;

- (2) Thence run Northwesterly along the arc of a circular curve to the left having a radius of 2,201.73 feet a distance of 149.94 feet to a Point of Tangency; thence run Northwesterly along the tangent of the last aforesaid curve produced a distance of 99.82 feet to a Point of Curvature;
- (3) Thence run Northerly along the arc of a circular curve to the right having a radius of 2,201.73 feet, a distance of 149.94 feet to a Point of Tangency; thence run Northerly along the tangent of the last aforesaid curve a distance of 90.50 feet to a Point of Curvature;
- (4) Thence run Westerly along the arc of a circular curve to the left having a radius of 25.00 feet, a distance of 37.71 feet to a point of compound curve to the left, having a radius of 1,859.86 feet, a distance of 122.74 feet to a point on the North line of Section 6, Township 50 South, Range 42 East.
- (d) North r/w line of Sunrise Blvd. To NW corner of Section 29-49-42

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The centerline of this portion of Wingate Road is described as follows:

- (1) Beginning at the point of intersection of the North right-of-way line of Sunrise Boulevard and the West boundary of Section 32, Township 49 South, Range 42 East; thence run Northerly along said West boundary of Section 32 and the West boundary of Section 29, Township 49 South, Range 42 East to the Northwest corner of said Section 29.
- (e) Northwest corner of Section 29, Township 49 South, Range

42 East to the Northwest  
corner of Section 8, Township  
49 South, Range 42 East

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The centerline of this portion of Wingate Road-McArthur Dairy Farm Road is described as follows:

- (1) Beginning at the Northwest corner of Section 29, Township 49 South, Range 42 East; thence run Northerly along the West boundary of Sections 20 and 17, both in Township 49 South, Range 42 East to a Point of Curvature said point lying on the West boundary of Section 17 and being 49.82 feet south of the West Quarter corner of said Section 17;
- (2) Thence run Northeasterly along the arc of a circular curve to the right having a radius of 1,909.86 feet and an interior angle of  $2^{\circ} 59' 18''$  a distance of 99.61 feet to a Point of Tangency; thence run Northeasterly along the tangent of the last aforesaid curve produced, a distance of 514.17 feet to a Point of Curvature;
- (3) Thence run Northerly along the arc of a circular curve to the left having a radius of 1,909.86 feet and an interior angle of  $2^{\circ} 59' 18''$  a distance of 99.61 feet to a Point of Tangency; thence run Northerly along the tangent of the last aforesaid curve produced, said tangent being 32 feet East of and parallel to the West boundary of the aforesaid Section 17, a distance of 1,195.96 feet, more or less, to a Point of Curvature;
- (4) Thence run Northwesterly along the arc of a circular curve to the left having a radius of 1,909.86 feet and an interior angle of  $2^{\circ} 26' 34''$  a distance of 81.43 feet to a Point of Tangency; thence run Northwesterly along the tangent of the last aforesaid curve produced a distance of 670.08 feet to a Point of Curvature;

- (5) Thence run Northerly along the arc of a circular curve to the right having a radius of 1,909.86 feet and an interior angle of  $2^{\circ} 21' 09''$  a distance of 78.42 feet to a Point of Tangency, said Point of Tangency lying on the West boundary of Section 8, Township 49 South, Range 42 East and being 39.22 feet north of the Southwest corner of said Section 8; thence run Northerly along said West boundary to the Northwest corner of said Section 8.
- (f) Northwest corner of Section 8, Township 49 South, Range 42 East to Sunshine State Parkway.

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The centerline of this portion of Wingate Road-McArthur Dairy Farm Road is described as follows:

- (1) Beginning at the Northwest corner of Section 8, Township 49 South, Range 42 East; thence run Northerly along the West boundary of Section 5, Township 49 South, Range 42 East to a point lying 50 feet, more or less, north of the Southerly right-of-way line of the Sunshine State Parkway.
- (60) Southgate Boulevard (from State Road No. 7 to East r/w line of C&SFFCD Levee L-36)
- (a) From State Road No. 7 to NE corner of Section 2-49-41, excepting any portion in any legally constituted municipality

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The centerline of this portion of Southgate Boulevard is described as follows:

- (1) Beginning at the point of intersection of the North boundary of Section 1, Township 49

South, Range 41 East and the West right-of-way line of State Road No. 7; thence run Westerly along the said North boundary to the Northwest corner of said Section 1.

- (b) From the N.W. corner of Section 1-49-41 to East r/w line of C&SFFCD Levee L-36, excepting any portion in any legally constituted municipality

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The centerline of this portion of Southgate Boulevard is described as follows:

- (1) Beginning at the Northwest corner of Section 1, Township 49 South, Range 41 East; thence run Westerly along the North boundary of Sections 2, 3 and 4, said North boundary being common with the South boundary of Sections 35, 34 and 33, Township 48 South, Range 41 East to a Point of Curvature lying 923.11 feet, more or less, East of the Southwest corner of Section 33, Township 48 South, Range 41 East;
- (2) Thence run Southwesterly along the arc of a circular curve to the left having a radius of 5,729.58 feet and an internal angle of  $1^{\circ} 38' 25''$ , more or less, a distance of 164.03 feet to a Point of Tangency; thence run Westerly along the tangent of the aforesaid curve produced, said tangent being 350.00 feet South of and parallel to the South right-of-way line of the C&SFFCD Canal C-14 through Sections 4, 5 and 6, Township 49 South, Range 41 East, and along a Westerly projection of said tangent in Section 36, Township 49 South, Range 40 East, to a point of intersection with the East right-of-way line of C&SFFCD Levee L-36.

- (61) N.W. 27th Avenue (from W. Broward Blvd. to W. Sunrise Boulevard) 40

The centerline of this portion of N.W. 27th Avenue is described as follows:

- (a) Beginning at the Southwest corner of the Southeast Quarter (SE  $\frac{1}{4}$ ) of Section 5, Township 50 South, Range 42 East; thence run Northerly along the West boundary of the East Half (E  $\frac{1}{2}$ ) of said Section 5, to the Northwest corner of the Northeast Quarter (NE  $\frac{1}{4}$ ) of said Section 5, Township 50 South, Range 42 East.

- (62) S.W. 10th Street (Deerfield Beach Naming System) from Powerline Road to westerly city limits of Deerfield Beach less that portion in the City of Deerfield Beach 50

The centerline of this portion of S.W. 10th Street is described as follows:

- (a) Beginning at a point on the East right-of-way line of Powerline Road, said point being 210.00 feet North of the South boundary of Section 3, Township 48 South, Range 42 East; thence run Easterly along a line 210.00 feet North of and parallel to the said South boundary of Section 3, a distance of 1,261.21 feet to a Point of Curvature;
- (b) Thence run Southeasterly along the arc of a circular curve to the right having a radius of 1,281.98 feet and an interior angle of  $14^{\circ} 42' 12''$  a distance of 328.98 feet to a Point of Tangency; thence run Southeasterly along the tangent of the aforesaid curve produced a distance of 300.00 feet to a Point of Curvature;
- (c) Thence run Easterly along the arc of a circular curve to the left having a radius of 1,281.98 feet and an interior angle of  $14^{\circ} 42' 12''$  a distance of

328.98 feet to a Point of Tangency; said Point of Tangency lying 50.00 feet north of the said South boundary of Section 3;

- (d) Thence run Easterly, parallel to and 50.00 feet north of said South boundary of Section 3 and Section 2, Township 48 South, Range 42 East to a point lying 2,251.70 feet, more or less, East of the West line of Section 2, Township 48 South, Range 42 East to a Point of Curvature;
  - (e) Thence run Southeasterly along the arc of a circular curve to the right having a radius of 1,909.86 feet and an interior angle of  $4^{\circ} 25' 47''$  a distance of 147.66 feet to a Point of Tangency; thence run Southeasterly along the tangent of the last aforesaid curve produced a distance of 280.22 feet, more or less, to a point on the North-South Quarter-Section line of Section 2, Township 48 South, Range 42 East, said point being 22.71 feet North of the South Quarter corner of Section 2, the aforesaid North-South Quarter-Section line of Section 2 also being on the Westerly city limits of Deerfield Beach.
- (63) N.E. 3rd Avenue (Pompano Beach Street Naming System), S.W. 12th Avenue (Deerfield Beach Street Naming System) from N.E. 24th Street (Pompano Beach Street Naming System) to Southern city limits of Deerfield Beach
- (a) N.E. 24th Street (Pompano Beach Street Naming System) to Sample Road

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The centerline of this portion of N.E. 3rd Avenue-S.W. 12th Avenue is described as follows:

- (1) Beginning at the Southwest corner of Section 24, Township 48 South, Range 42 East; thence run Northerly along the West boundary of said Section 24 and the West boundary of

Section 13, Township 48 South, Range 42 East to the Northwest corner of said Section 13, said Northwest corner lying on the centerline of Sample Road, as described in Paragraph 24 of these regulations.

- (b) Sample Road to the southern city limits of Deerfield Beach 50

The centerline of this portion of N.E. 3rd Avenue-S.W. 12th Avenue is described as follows:

- (1) Beginning at the Southwest corner of Section 12, Township 48 South, Range 42 East; thence run Northerly along the West boundary of said Section 12, to the West Quarter corner of said Section 12, said West Quarter corner lying on the Southerly city limits of the City of Deerfield Beach.

- (64) N.W. 9th Avenue (Pompano Beach Street Naming System), S.W. 24th Avenue (Deerfield Beach Street Naming System) from Sample Road to the north boundary of Broward County, less that portion in the City of Deerfield Beach 50

The centerline of this portion of N.W. 9th Avenue-S.W. 24th Avenue is described as follows:

- (a) Beginning at the point of intersection of the North right-of-way line of Sample Road and the West line of Section 14, Township 48 South, Range 42 East, run Northerly along the West boundary of said Section 14 and the West boundary of Section 11, Township 48 South, Range 42 East, and along the West boundary of Section 2, Township 48 South, Range 42 East, to the Southerly city limits of the City of Deerfield Beach; and
- (b) Beginning again at the intersection of the North city limits of Deerfield Beach and the West boundary of Section 2, Township 48 South, Range

42 East; thence run Northerly along the West boundary of said Section 2, and the West boundary of Section 35, Township 47 South, Range 42 East to the Northern boundary of Broward County.

- (65) N.W. 24th Street—from the West right-of-way line of the Florida East Coast Railroad to Blount Road

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The centerline of this portion of N.W. 24th Street (Copans Road) is described as follows:

- (a) Beginning at the intersection of the North boundary of Section 25, Township 48 South, Range 42 East, and the West right-of-way line of the Florida East Coast Railroad; thence run Westerly along the North boundary of Sections 25, 26, 27 and 28, Township 48 South, Range 42 East, to the West right-of-way line of Blount Road, in said Section 28, Township 48 South, Range 42 East.

- (66) N.W. 21st Avenue (Decker Road) from N.W. 19th Street to the South r/w line of Prospect Field Road (excepting that portion lying within any legally constituted municipality)

- (a) From the S.W. corner of Section 28-49-42, to the N.W. corner of Section 21-49-42

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The centerline of this portion of N.W. 21st Avenue is described as follows:

The West boundary lines of Sections 28 and 21, Township 49 South, Range 42 East.

- (b) From the N. boundary of Section 21-49-42 to the South r/w line of Prospect Field Road.

- (1) The East Base Building Line of this portion of N.W. 21st Avenue is described as follows:

Beginning at a point on the South boundary of Section 16, Township 49 South, Range 42 East, 40 feet Easterly of the West boundary of said Section; thence on a line parallel to and 40 feet Easterly of said West boundary, run Northerly 462.0 feet to a Point of Curvature of a circular curve to the right having a radius of 2,814.79 feet and a central angle of  $2^{\circ} 0' 00''$ ; thence on the arc of said curve, run Northerly 98.25 feet to a Point of Tangency; thence on the tangent produced from said curve, run Northerly 175.08 feet to a Point of Curvature of a circular curve to the left, having a radius of 2,914.79 feet and a central angle of  $2^{\circ} 0' 00''$ ; thence on the arc of the last aforesaid curve, run Northerly 10.75 feet to a Point of Tangency; thence on said tangent 50 feet Easterly of and parallel to said West boundary, run Northerly to the South r/w line of Prospect Field Road.

- (2) The West Base Building Line of this portion of N.W. 21st Avenue is described as follows:

Beginning at a point on the South boundary of Section 17, Township 49 South, Range 42 East, 40 feet Westerly of the East boundary of said Section; thence on a line parallel to and 40 feet Westerly of said East boundary, run Northerly 462 feet to a Point of Curvature of a circular curve to the left having a radius of 2,814.79 feet and a central angle of  $2^{\circ} 00' 00''$ ; thence on the arc of said curve, run Northerly 98.25 feet to a Point of Tangency; thence on the tangent produced from said curve, run Northerly 175.08 feet to a Point of Curvature of a circular curve to the right having a radius of 2,914.79 feet, and a central angle of  $2^{\circ} 00' 00''$ ; thence on the arc of the last aforesaid curve, run Northerly 101.75 feet to a Point of Tangency; thence on said tangent 50 feet Westerly of

and parallel to said East boundary, run Northerly to the South right-of-way line of Prospect Field Road.

- (67) N.W. 21st Avenue (Decker Road)  
from Cypress Creek Road northerly to West Atlantic Blvd. (excepting that portion lying within any legally constituted municipality) 40

The centerline of this portion of N.W. 21st Avenue (Decker Road) is described as follows:

Beginning at the East Quarter corner of Section 8, Township 49 South, Range 42 East; thence run Northerly along the East line of Sections 8 and 5, Township 49 South, Range 42 East; thence Northerly 26 feet, more or less, to an intersection with the centerline of West Atlantic Boulevard.

- (68) S.W. 6th Street (Airport Road)  
from Pompano Beach city limits to Andrews Avenue 40

The centerline of this portion of S.W. 6th Street (Airport Road) is described as follows:

Beginning at the Southeast corner of Government Lot 6 of Section 2, Township 49 South, Range 42 East, run Westerly along the South line of Government Lot 6 and South line of Government Lot 5 of aforesaid Section 2, Township 49 South, Range 42 East to a point on the East right-of-way line of Andrews Avenue.

- (69) S.W. 31st Avenue (Gregory Road)  
from Griffin Road to Stirling Road 40

The centerline of this portion of S.W. 31st Avenue (Gregory Road) is described as follows:

Beginning at the Northeast corner of the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section 31, Township 50 South, Range 42 East; thence Southerly along the East line of aforesaid Section 31, a distance of 1,552.62 feet to a

Point of Curvature of a circular curve to the right, having for its elements an interior angle of  $27^{\circ} 17' 05''$  and a radius of 1,909.86 feet; thence run Southwesterly along the arc of said curve, a distance of 909.49 feet to a Point of Tangency; thence run along the tangent of aforesaid curve produced, a distance of 851.02 feet, to a Point of Curvature of a circular curve to the left, having for its elements an interior angle of  $27^{\circ} 27' 06''$  and a radius of 1,909.86 feet; thence Southeasterly along the arc of said curve, a distance of 915.06 feet to a Point of Tangency; thence along the tangent of aforesaid curve produced, a distance of 1,394.27 feet to a point on the South line of Section 31, Township 50 South, Range 42 East, said point being 840.69 feet West of the Southeast corner of aforesaid Section 31.

- (70) N.W. 15th Street—from N.W. 15th Avenue (Pompano Beach city limits) to Sunshine State Parkway 50

The centerline of this portion of N.W. 15th Street is described as follows:

Beginning at the Southeast corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of Section 27, Township 48 South, Range 42 East; thence run South  $88^{\circ} 52' 25''$  West, a distance of 2,675.12 feet to the Southwest corner of the Southwest Quarter (SW  $\frac{1}{4}$ ) of said Section 27; thence run South  $88^{\circ} 28' 14''$  West a distance of 2,640.64 feet, more or less, to a point, said point being 7.80 feet south of the Southwest corner of the Southeast Quarter (SE  $\frac{1}{4}$ ) of Section 28, Township 48 South, Range 42 East; thence run South  $88^{\circ} 36' 54''$  West to a point on the East right-of-way line of the Sunshine State Parkway.

- (71) A-1-A from Gatehouse Road northerly to South city limits of Pompano Beach 40

The centerline of this portion of A-1-A is described as follows:

Commencing at the South Quarter corner of Section 7, Township 49 South, Range 43 East, run Easterly along the South line of said Section 7 a distance of 884.87 feet to a point; thence run Northerly on a line with an included angle of  $97^{\circ} 07' 30''$  and a bearing of North  $5^{\circ} 28' 51''$  East a distance of 1,299.60 feet to a point; thence on a line North  $11^{\circ} 04' 11''$  East, run a distance of 365.40 feet to a Point of Beginning; thence continue on aforesaid bearing North  $11^{\circ} 04' 11''$  East to the South city limits of Pompano Beach.

- (72) S.W. 36th Street—from Davie Road  
East to Reese Road 30

The centerline of this portion of S.W. 36th Street is described as follows:

Beginning at a point of intersection 30 feet north of the South line of Section 23, Township 50 South, Range 41 East, and the East right-of-way line of Davie Road; thence run Easterly along a line 30 feet north of and parallel to the aforesaid South line of Section 23, Township 50 South, Range 41 East, to a point on the East line of Tier 19, Newman's Survey as recorded in Plat Book 2 at Page 26 of the public records of Dade County, Florida.

- (73) Reese Road—from S.W. 36th Street  
northerly to State Road No. 84 30

The centerline of this portion of Reese Road is described as follows:

Beginning at a point of intersection of the South line of Section 23, Township 50 South, Range 41 East, and the Southerly projection of the West line of Tier 17, Newman's Survey as recorded in Plat Book 2 at Page 26 of the public records of Dade County, Florida; thence run Northerly along the West line of Tier 17 of the aforesaid Newman's Survey a distance of 4,115.97 feet, more or less, to a Point of Curvature of a circular curve to the left having a radius of 1,304.36 feet and an interior angle of  $17^{\circ} 26' 05''$ ; thence run Northerly

along the arc of the aforesaid curve a distance of 397.11 feet to a point of tangency; thence continue Northerly 30 feet west of and parallel to the West right-of-way line of the Sunshine State Parkway to the South right-of-way line of State Road No. 84.

- (74) North 29th Avenue—from Stirling Road southerly to S. line of N.  $\frac{1}{2}$  of Government Lot #4 in Section 4-51-42

40

The centerline of this portion of North 29th Avenue is described as follows:

Commence at a point 659.72 feet East of the Northwest corner of Section 4, Township 51 South, Range 42 East, along the North boundary of said Section 4;

Thence run South  $0^{\circ} 07' 32''$  West for a distance of 53 feet to the Point of Beginning;

Thence continue Southerly along the last described course a distance of 643.15 feet to a point on the S. line of the North One-Half (N.  $\frac{1}{2}$ ) of Government Lot #4 of said Section 4.

- (75) East/West Green Road-N.E./N.W.  
48th Street

- (a) From Old Dixie Highway W.  
to the W. boundary of Pom-  
pano Beach Highlands 7th  
Section

40

The centerline of this portion of East/West Green Road-N.E./N.W. 48th Street is described as follows:

Commence at a point of intersection of the North boundary of Section 13, Township 48 South, Range 42 East, and the West right-of-way line of Old Dixie Highway; thence run Westerly along the North boundaries of Sections 13 and 14, Township

48 South, Range 42 East, to a point 1,135.02 feet west of the Northeast corner of said Section 14.

- (b) From West boundary of Pompano Beach Highlands 7th Section W. to Powerline Rd. 50

The centerline of this portion of East/West Green Road-N.E./N.W. 48th Street is described as follows:

Commence at a point on the South line of Section 11, Township 48 South, Range 42 East, said point being 1,135.02 feet west of the Southeast corner of said Section 11; thence Westerly along the South boundary of said Section 11, a distance of 1,399.29 feet, to a point of curvature of a circular curve to the right, having a radius of 1,909.86 feet, a central angle of  $20^{\circ} 37' 26''$  and an arc distance of 687.46 feet;

Thence along the arc of said circular curve to a Point of Tangency; thence along the tangent produced, a distance of 1,209.10 feet to a point of curvature of a circular curve to the left, having a radius of 1,909.86 feet, and a central angle of  $20^{\circ} 52' 34''$ ;

Thence along the arc of said circular curve, a distance of 695.87 feet to a point of tangency; thence along the tangent produced, a distance of 360 feet to the Northwest corner of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 11;

Thence Westerly along the North line of the S  $\frac{1}{2}$  of the S  $\frac{1}{2}$  of the S  $\frac{1}{2}$  of Section 10, Township 48 South, Range 42 East to the East right-of-way line of Powerline Road.

- (76) N.W. 7th Terrace—from S. line of Liberty Park Estates Section Two, to N. Line of SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 26-48-42

25

The centerline of this portion of N.W. 7th Terrace is described as follows:

Commencing at the Southwest corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 26, Township 48 South, Range 42 East; thence run Easterly along the South boundary of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , a distance of 164.78 feet to the Point of Beginning;

Thence run Southerly along a line parallel to and 164.78 feet east of the West boundary of said Section 26, to a point on the North line of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 26.

- (77) State Road No. 84 from the Western city Limits of the City of Davie to State Road No. 25 (U.S. No. 27)

260

The Southerly Base Building Line of this portion of State Road No. 84 is described as follows:

Along a line 260 feet southerly of as measured at right angles and parallel to the South right-of-way line of the North New River Canal from the Western city Limits of the City of Davie westerly to the East right-of-way line of State Road No. 25 (U.S. 27).

- (78) Pine Island Road from the North New River Canal to the North boundary of Section 32, Township 49 South, Range 41 East

53

The centerline of this portion of Pine Island Road is described as follows:

Beginning on the Northerly right-of-way line of the North New River Canal at a point 243.43 feet Easterly from the West boundary of Section 16, Township 50 South, Range 41 East, as measured along said Northerly right-of-way line, said Point of Beginning being on the centerline of a strip of land 106 feet in width lying 53 feet on either side of the following described centerline; thence run North  $15^{\circ} 11' 32''$  East 509.27 feet along a line perpendicular to said

Northerly right-of-way line of the North New River Canal, (said line being coincident with the centerline of Pine Island Road, as described in OR 4253 at Page 538 of the public records of Broward County, Florida), to a Point of Curvature of a curve to the right; thence along the arc of said curve to the right, having a radius of 2,000 feet and a central angle of  $26^{\circ} 10' 39''$ , run Northeasterly 913.77 feet, to a Point of Tangency; thence run North  $41^{\circ} 22' 11''$  East 700 feet along the tangent extended, to a Point of Curvature of a curve to the left; thence along the arc of said curve to the left, having a radius of 2,000 feet and a central angle of  $83^{\circ} 30' 00''$ , run Northeasterly and Northwesterly 2,914.70 feet, to a Point of Tangency; thence run North  $42^{\circ} 07' 49''$  West 410.05 feet along the tangent extended, to a Point of Curvature of a curve to the right; thence along the arc of said curve to the right, having a radius of 2,026.44 feet and a central angle of  $42^{\circ} 07' 49''$ , run Northwesterly 1,490.07 feet, to an intersection with the North line of Section 9, Township 50 South, Range 41 East, at a point 620 feet East of the Northwest corner of said Section 9; thence run due North 185.92 feet along the tangent extended, to a Point of Curvature of a curve to the right; thence along the arc of said curve to the right, having a radius of 1,150 feet and a central angle of  $23^{\circ} 29' 20''$ , run Northeasterly 471.45 feet, to a Point of Tangency; thence run North  $23^{\circ} 29' 20''$  East 793.87 feet along the tangent extended, to a Point of Curvature to the left; thence along the arc of said curve to the left, having a radius of 2,000 feet and a central angle of  $68^{\circ} 01' 37''$ , run Northeasterly and Northwesterly 2,374.59 feet, to a Point of Tangency; thence run North  $44^{\circ} 32' 17''$  West 2,189.96 feet along the tangent extended, to a Point of Curvature of a curve to the right; thence along the arc of said curve to the right, having a radius of 2,400 feet and a central angle of  $69^{\circ} 19' 25''$ , run Northwesterly and Northeasterly 2,903.82 feet, to a Point of Tangency; thence run North  $24^{\circ} 47' 08''$  East 1,392.12 feet along the tangent extended, to a Point of Curvature of a curve to the

left; thence along the arc of said curve to the left, having a radius of 3,600 feet and a central angle of 24° 51' 00", run Northeasterly 1,561.37 feet, to a Point of Tangency; thence run North 0° 03' 52" West 97.54 feet, to an intersection with the North boundary of Section 32, Township 49 South, Range 41 East, at a point 216.73 feet West of the Northeast corner of said Section 32, as measured along the North line of said Section 32, and the terminus of said centerline.

Said lands situate in Broward County, Florida, excepting therefrom that portion thereof lying within the right-of-way of Broward Boulevard. (Amend. Zoning Regs., § 4.1, 7-17-73)

**Secs. 39-80—39-89. Reserved.**

#### **ARTICLE V. YARD SPACE DISTRICTS (Deleted)**

**Secs. 39-90—39-99. Reserved.**

#### **ARTICLE VI. MINIMUM FLOOR AREA DISTRICTS (Deleted)**

**Secs. 39-100—39-109. Reserved.**

#### **ARTICLE VII. MINIMUM PLOT SIZE DISTRICTS (Deleted)**

**Secs. 39-110—39-119. Reserved.**

#### **ARTICLE VIII. NON-CONFORMING USES AND STRUCTURES**

**Sec. 39-120. Existing uses.**

Any lawful use of land or structure existing at the effective date of this chapter, and which by its terms has

become a non-conforming use, is hereby declared not to be in violation at this chapter'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. (Amend. Zoning Regs., § 8.1, 7-17-73)

#### **Sec. 39-121. Non-conforming use—Extensions.**

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 chapter. 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 chapter. The non-conforming use of land shall not be extended to any additional land not so used at the effective date of this chapter, except as provided under Article LI, excavation regulations. (Amend. Zoning Regs., § 8.2, 7-17-73)

#### **Sec. 39-122. 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 chapter. Provided, that repairs, maintenance and improvement may be carried out in any one year in an amount not to exceed twenty-five (25) per cent 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. (Amend. Zoning Regs., § 8.3, 7-17-73)

**Sec. 39-123. 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 seventy-five (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. (Amend. Zoning Regs., § 8.4, 7-17-73)

**Sec. 39-124. Change of non-conforming use.**

(a) In any residential district, any change of a non-conforming use in a conforming building shall be to a conforming use.

(b) 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 subsection (c) below.

(c) 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 chapter.

(d) 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 chapter.

(e) 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 subsection (d) above, shall be to a conforming use. (Amend. Zoning Regs., § 8.5, 7-17-73)

**Sec. 39-125. Discontinuance or abandonment of a non-conforming use.**

(a) If for any reason a non-conforming use of land ceases or is discontinued for a period of more than sixty (60) days, the land shall not thereafter be used for a non-conforming use, except for agricultural uses or except as provided under Article LI, excavation regulations.

(b) If for any reason the non-conforming use of a building ceases or is discontinued for a period of one (1) year or more, the building shall not thereafter be used for a non-conforming use.

(c) 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.

(d) 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. (Amend. Zoning Regs., § 8.6, 7-17-73)

**Sec. 39-126. Continuance of non-conforming uses and structures.**

Any legal non-conforming use or structure may be continued. (Amend. Zoning Regs., § 8.7, 7-17-73)

**Sec. 39-127. Unlawful use not authorized.**

Nothing in this chapter shall be interpreted as authorization for, or approval of the continuation of the use of structure of premises in violation of any resolution in effect at the effective date of this chapter. (Amend. Zoning Regs., § 8.9, 7-17-73)

**Sec. 39-128. 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 buildings, structures or uses, said period shall be computed from the effective date of such reclassification or change of regulations. (Amend. Zoning Regs., § 8.10, 7-17-73)

**Sec. 39-129. 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 chapter which do not meet the regulations of this chapter 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 chapter. (Amend. Zoning Regs., § 8.11, 7-17-73)

**Sec. 39-130. 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. (Amend. Zoning Regs., § 8.12, 7-17-73)

**Secs. 39-131—39-140. Reserved.**

**ARTICLE IX. OFF-STREET PARKING AND  
LOADING**

**Sec. 39-141. Off-street parking required.**

(a) Every building, use or structure, instituted or erected after the effective date of this chapter shall be provided with off-street parking facilities in accordance with the provisions of this article for the use of occupants, employees, visitors or patrons.

(b) Such off-street parking facilities shall be maintained and continued as an accessory use as long as the main use is continued.

(c) Where a building existed at the effective date of this chapter 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 off-street parking facilities.

(d) Where a building or use, which existed at the effective date of this chapter, is enlarged in floor area, volume, capacity or space occupied, off-street parking facilities as specified herein shall be provided for the additional floor area, volume, capacity or space so created or occupied.

(e) Where a building or use which existed at the effective date of this chapter is changed in use or occupancy, additional off-street parking facilities shall be provided to the off-street parking required by this chapter for the new use or occupancy exceeds the off-street 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 off-street parking requirements to another such category under section 39-143.

(f) 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 off-street parking facilities to meet the requirements of and be in compliance with this article. (Amend. Zoning Regs., § 9.1, 7-17-73)

#### **Sec. 39-142. Location, character and size.**

(a) The off-street 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 board of adjustment, prevent the establishment of such facilities upon the same plot, the board of adjustment may grant a variance authorizing the locating of the required parking facilities within seven hundred (700) feet of the premises they are to serve. In the event of such a variance being granted and utilized, then 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 off-street parking facilities pursuant to this article.

(b) Each parking space required and provided pursuant to the provisions of this article shall be not less than nine (9) feet in width and eighteen (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.

(c) The required off-street parking facilities shall be identified as to purpose and as to location when not clearly evident from a street or alley. Off-street 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 churches and for public and private schools offering academic courses may be surfaced with grass or lawn.

(d) All off-street parking facilities required by this article shall be drained so as not to cause any nuisances 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.

(e) A plan shall be submitted with every application for a building permit for any use or structure required to provide off-street 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 off-street parking facilities are intended to serve. (Amend. Zoning Regs., § 9.2, 7-17-73)

#### **Sec. 39-143. Amount of off-street parking.**

The off-street parking required by this article shall be provided and maintained on the basis of the following minimum requirements:

- (1) *Dwelling, single-family*: Two (2) parking spaces required for the purpose of compliance with the requirement of this section, the spaces may be tandem.
- (2) *Dwelling, two-family and multiple-family*: Two and one-half (2½) parking spaces for each dwelling unit.
- (3) *Rooming houses, lodging houses, boardinghouses*: One (1) parking space for each two (2) rental sleeping rooms, plus one (1) parking space for the owner or operator.
- (4) *Dormitories, fraternities*: One (1) parking space for each two (2) beds, plus one (1) parking space for the manager or operator, plus one (1) parking space for each two (2) employees.
- (5) *Hotels, including clubs*: Three (3) parking spaces for each four (4) sleeping rooms, or three (3) parking spaces for each four (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 off-street 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 thirty-five (35) per cent of the off-street parking specified in this article for retail stores, offices, service establishments, bars, restaurants, dining rooms, nightclubs, cabarets, ball-rooms, banquet halls, meeting rooms, auditoriums.

- (6) *Motels, tourist homes, guest cabins, villas, house courts:* One (1) parking space for each guest room, cabin or rental unit, plus one (1) parking space for the owner or manager.
- (7) *Trailer courts, camps or parks:* One (1) parking space for each trailer.
- (8) *Hospitals:* One (1) parking space for each four (4) beds for patients.
- (9) *Sanitariums, asylums, orphanages, convalescent homes, homes for aged and infirm:* One (1) parking space for each five (5) beds for patients or inmates.
- (10) *Theaters and other places of assembly having fixed seats:* One (1) parking space for each ten (10) seats.
- (11) *Places of public assembly, including assembly halls (except as included in paragraphs (9) and (10)), exhibition halls, convention halls, dance halls, skating rinks, sport arenas, community centers, libraries and museums:* One (1) parking space for each ten (10) seats, or parking space for each two hundred (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 (1) parking space for each one hundred twenty (120) square feet of assembly hall and auditorium, or one (1) parking space for each six hundred (600) square feet of gross floor area occupied by guests, customers, patrons, members or other occupants, whichever may be greater.
- (13) *Churches:* One (1) parking space for each sixty (60) square feet of auditorium or chapel area, not including Sunday school classrooms.

- (14) *Stadiums, racetracks, fairgrounds, circus grounds:* One (1) parking space for each five (5) seats.
- (15) *Bowling alleys:* Two (2) parking spaces for each alley.
- (16) *Mortuaries:* One (1) parking space for each ten (10) seats in public rooms.
- (17) *Medical, dental, chiropractic, etc., clinics (separate building):* Four (4) parking spaces for each doctor.
- (18) *Business, professional and governmental offices:* One (1) parking space for each six hundred (600) square feet of floor area.
- (19) *Restaurants, bars, beer gardens, nightclubs:* One (1) parking space for each fifty (50) square feet of floor area in rooms for customer service.
- (20) *Elementary schools, public, private or parochial:* One (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:* One (1) parking space for each classroom plus one (1) parking space for each ten (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 repairs or equipment shops, interior decoration shops:* One (1) parking space for each four hundred (400) square feet of floor area.
- (23) *Manufacturing, industrial, etc.* Manufacturing and industrial uses, research and testing laboratories, bottling establishments, printing and engraving shops, warehouses, motor vehicle salesrooms, wholesale stores, laundries and storage buildings, provided that exterior off-street areas adjacent to overhead doors may be utilized for required off-street parking for warehouses and storage buildings only: One (1) parking space for each six hundred (600) square feet of floor area of the building.

- (24) *Terminal facilities*, including airports, railroad passenger and freight stations, bus depots, truck terminals; also charter, sightseeing or fishing boat docks, commercial bathing beaches, commercial swimming pools and the like: One (1) parking space for each two (2) employees, plus one (1) parking space for each four (4) persons of the normal capacity of use, as customers, patrons and visitors.
- (25) *Uses not specifically mentioned*: The requirements for off-street 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 off-street parking.
- (26) *Fractional measurements*: When units or measurements determining number of required off-street parking spaces result in requirement of 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 off-street parking shall be the sum of the requirements of the various uses computed separately, and off-street parking space for one (1) use shall not be considered as providing the required off-street parking for any other use.
- (28) *Measurement*: For the purpose 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, sports arenas, churches and other places of assembly in which occupants utilize benches, pews or other similar seating facilities, each twenty (20) lineal inches of such seating facilities shall be counted as one (1) seat for the purpose of computing off-street parking requirements. (Amend. Zoning Regs., § 9.3, 7-17-73)

**Sec. 39-144. Combined off-street parking.**

Nothing in this article shall be construed to prevent collective provision for, or joint use of, off-street parking

facilities for two (2) or more buildings or uses by two (2) or more owners or operators, 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. (Amend. Zoning Regs., § 9.4, 7-17-73)

**Sec. 39-145. 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 off-street parking requirements of this article for a new use of the type involved, are applied to such existing use and are fully provided for. (Amend. Zoning Regs., § 9.5, 7-17-73)

**Sec. 39-146. Use of required off-street parking by another building.**

No part of an off-street parking area required for any building or use by this article shall be included as a part of an off-street parking area similarly required for another building or use, unless the type of use indicated that the period of usage will not overlap or be concurrent with each other. (Amend. Zoning Regs., § 9.6, 7-17-73)

**Sec. 39-147. Parking of commercial vehicles.**

Off-street 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. (Amend. Zoning Regs., § 9.7, 7-17-73)

**Sec. 39-148. Off-street loading.**

(a) 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 streets and alleys by pedestrians and vehicles.

(b) 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 off-street 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 off-street loading space under this section, the full amount of off-street loading space shall be supplied and maintained to comply with this section.

(c) For the purposes of this section, an off-street loading space shall be an area at the grade level at least ten (10) feet wide by twenty-five (25) feet long with fourteen (14) foot vertical clearance. Each off-street loading space shall be directly accessible from a street or alley without crossing or entering any other required off-street 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.

(d) Off-street loading spaces shall be provided and maintained in accordance with the following schedule:

(1) 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. but not over 60,000 sq. ft. ....	2 spaces
Over 60,000 sq. ft. but not over 120,000 sq. ft. ....	3 spaces
Over 120,000 sq. ft. but not over 200,000 sq. ft. ....	4 spaces

Over 200,000 sq. ft. but not over 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

(2) For each multiple dwelling or apartment hotel having  
at least fifty (50) dwelling units but not over one  
hundred (100) dwelling units: one (1) space.

(3) For each multiple dwelling having over one hundred  
(100) dwelling units: One (1) space plus one (1) space  
for each additional one hundred (100) dwelling units  
or major fraction thereof.

(4) For each auditorium, convention hall, exhibition hall,  
museum, hotel, office building, sports arena, 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

(5) For any use not specifically mentioned in this section,  
the requirements for off-street parking for a use which  
is so mentioned and to which the unmentioned use is  
similar shall apply.

(e) Off-street loading facilities supplied to meet the needs  
of one use shall not be considered as meeting street loading  
needs of any other use.

(f) No areas or facilities supplied to meet the required  
off-street parking facilities for a use shall be utilized for or  
be deemed to meet the requirements of this article for  
off-street loading facilities.

(g) Nothing in this section shall prevent the collective,  
joint or combined provision of off-street loading facilities for  
two (2) or more buildings or uses, provided that such  
off-street 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.

(h) Plans for buildings or uses requiring off-street loading facilities under the provisions of this section shall clearly indicate the location, dimensions, clearances and access of all such required off-street loading facilities. (Amend. Zoning Regs., § 9.8, 7-17-73)

### **Sec. 39-149. Alternative parking surfaces.**

The modifications to parking requirements allowed in this section are intended to permit and encourage the reduction of hardsurface parking areas so as to retain the maximum permeable soil surface and green area while still providing for adequate parking. It is not the intent of this section to define each and every site use where these modifications of parking requirements may be feasible. The building, planning and zoning department may allow the use of these modifications in any instance where such a modification appears appropriate even though the specific site use may not be cited in the following sections. Hardsurface as referred to in this provision shall mean a hard, dustless, bonded surface such as, but not limited to, asphaltic concrete or portland concrete, and normally used to surface vehicular use areas.

- (1) *Parking ribbons.* The use of hardsurface parking ribbons shall be permitted in situations where the required parking is directly associated with an individual dwelling unit. Such ribbons shall be no less than two (2) feet in width, separated at no greater distance than three (3) feet, and constructed to the specifications of the county engineering department. The remaining required area for each parking space shall be covered with grass, ground cover, or other porous landscape material. Such ribbons are primarily intended for use with one-family and two-family dwellings, town houses, tourist homes, guest cabins, mobile homes, and trailer camps and parks.
- (2) *Reduction of hardsurface allowed.* For certain site uses it shall be allowed for up to twenty (20) per cent of the

required parking to be reserved in a grassed area. Such a reserved area shall be identified on the site plan and shall include space for all associated accessways, drives, aisles, and landscaping. The reserved area may be used for temporary or overflow parking or may exclude all parking. Parking use of the reserved area shall require compliance with county specifications for grass parking surfaces. Regular use of a reserved area so that maintenance of the grass in a healthy, viable condition is impossible shall require the hardsurfacing of the area. A reserved area used for temporary or overflow parking shall meet all landscaping requirements for vehicular use areas except that the ten (10) per cent interior open spaces required may also be used for parking provided all trees are located in the area of at least fifty (50) square feet which shall be protected from vehicular intrusion. A reserved area which excludes vehicular use shall be required to meet only the landscaping requirements for general open space. Conversion of a reserved area to hardsurface parking shall require compliance with all landscaping requirements for vehicular use areas. In no instance shall a reserved area be used to satisfy the landscaping requirements for a contiguous hard-surfaced vehicular use area or to satisfy requirements for open space. This reduction of hardsurface parking is primarily intended to be allowed for parking associated with the following uses: Businesses, professional and government buildings, retail stores, manufacturing and industrial uses, multifamily dwellings, dormitories, fraternities, hospitals, sanitariums, asylums and mixed uses.

- (3) *Grass parking surfaces.* The use of a grass parking surface shall be permitted where parking is on an irregular, intermittent or part-time basis. Such grass parking surfaces shall conform to county specifications, including requirements for base material, drainage and species of grass. Where regular use of the parking surface warrants, it may be required that aisles, accessways and drives be surfaced with a

hard-surface material. All requirements for landscaping vehicular use areas shall be met except that the ten (10) per cent interior open area requirement shall be considered satisfied by the use of grass parking surfaces. All required trees shall be planted in an area of at least fifty (50) square feet which shall be protected from vehicular intrusion. In instances where there is also a limited amount of regular parking use associated with a structure, such as parking for a staff, maintenance crew, security force, etc., an amount of hardsurfaced parking capable of accommodating such regular use shall be required. All landscaping requirements for vehicular use areas shall be met by such parking. Such grass parking surfaces are primarily intended to be allowed for parking associated with places of public assembly, theaters, private clubs, fraternity buildings, churches, stadiums, racetracks, fairgrounds, schools, mortuaries and similar uses.

- (4) *Maintenance.* The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all vehicle use areas, whether standard hardsurface or grass. Grass parking areas shall be maintained so as to present a neat appearance to insure a viable and healthy grass surface. In the event of deterioration of a grass parking surface due to improper or inadequate maintenance or due to parking use too heavy to allow a healthy grass surface, the director of the building, planning and zoning department may require the restoration of the grass surface or the hardsurfacing of the area. (Amend. Zoning Regs., § 9.9, 7-17-73)

**Secs. 39-150—39-159. Reserved.**

## **ARTICLE X. ZONING DISTRICTS**

### **Sec. 39-160. Classes and symbols.**

For the purpose of this chapter in regulating use of land, water and building, and height, bulk, population density

and open space, Broward County is hereby divided into the following districts:

**AGRICULTURAL DISTRICTS**

- A-1 Limited Agricultural**
- A-2 General Agricultural**
- A-3 Agricultural—Utility**
- A-4 Agricultural—Amusement**
- A-5 Agricultural—Excavation**
- A-6 Agricultural—Disposal**
- A-7 Agricultural—Restricted Disposal**
- A-8 Agricultural—Sanitary Fill Districts**

**RESIDENTIAL DISTRICTS**

- D-1 Special One-Family Districts**
- E-1 Estate**
- R-1A thru R-1C One-Family Dwelling**
- R-1P One-Family Dwelling—Parking**
- R-1T Mobile Home Dwelling**
- R-2 Two-Family Dwelling**
- R-2P Two-Family Dwelling—Parking**
- R-2U Two-Family Dwelling**
- R-3 Low Density Multiple Dwelling**
- R-3U Row House**
- R-4 Apartment**
- R-4A Planned Apartment**
- R-5 Motel**
- R-6 Hotel**
- T-1 Trailer Park**

**RECREATIONAL DISTRICTS**

- S-1 Recreational**

**BUSINESS DISTRICTS**

- B-1 Neighborhood Business**
- B-2 Community Business**
- B-2A Planned Business Center**
- B-2B Special Business**

- B-3 General Business
- C-1 Commercial

### INDUSTRIAL DISTRICTS

- M-1 Light Industrial
- M-2 Medium Industrial
- M-3 General Industrial
- M-4 Limited Heavy Industrial
- M-5 Heavy Industrial

(Amend. Zoning Regs., § 10.1, 7-17-73)

#### **Sec. 39-161. Zoning district maps.**

(a) The areas assigned to these districts, the designation of same, and the boundaries of said districts shown upon the maps hereto attached and made a part of this chapter 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 chapter 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 chapter and its effective date.

(b) Each district shall be subject to the regulations stipulated in this chapter. (Amend. Zoning Regs., § 10.2, 7-17-73)

#### **Sec. 39-162. Application of zoning regulations.**

When any public use 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. (Amend. Zoning Regs., § 10.3, 7-17-73)

#### **Sec. 39-163. Water areas.**

(a) 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 sides of the water area, then the kind of zoning district on each side shall extend to the centerline or midpoint of the water area.

(b) 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. (Amend. Zoning Regs., § 10.4, 7-17-73)

#### **Sec. 39-164. 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 (2) or more different zoning districts, the new district boundary shall be the former centerline of such vacated street or alley. (Amend. Zoning Regs., § 10.5, 7-17-73)

#### **Sec. 39-165. Boundaries of districts.**

(a) 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 chapter are approximately bounded by street lines, alley lines or the subdividing or boundary lines of recorded plats, such lines or the extensions thereof shall be considered to be district boundaries.

(b) Where due to the scale or illegibility of the district maps 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 this chapter. (Amend. Zoning Regs., § 10.6, 7-17-73)

#### **Sec. 39-166. District group classification.**

For the purposes of this chapter, the various zoning districts are grouped, and may be referred to as follows:

- (1) The A-1, R-1A, R-1B, R-1C, R-1T, R-1P, R-2, R-2P, R-3, R-4, R-4A, R-5, R-6, T-1, E-1, R-2U, R-3U districts are considered to be and are designated as residential districts.
- (2) The B-1, B-2, B-2A, B-2B, B-3 and C-1 districts are considered to be and are designated as business districts.
- (3) The M-1, M-2, M-3, M-4 and M-5 districts are considered to be and are designated as industrial districts. (Amend. Zoning Regs., § 10.7, 7-17-73)

#### **Sec. 39-167. Railroad rights-of-way.**

Where not otherwise indicated on zoning district maps or specified in this chapter, 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 (2) zoning districts abutting the right-of-way. (Amend. Zoning Regs., § 10.8, 7-17-73)

#### **Sec. 39-168. Regulation of unzoned property.**

Any property which has not been placed in a zoning district, or which has not otherwise been zoned, is hereby classified in an R-1A district, it being the intent of this chapter to regulate and control the use and development of all land and water in the unincorporated portions of Broward County. (Amend. Zoning Regs., § 10.9, 7-17-73)

#### **Secs. 39-169—39-178. Reserved.**

**ARTICLE XI. ESTATE E-1 DISTRICTS****Sec. 39-179. Purpose of district.**

The E-1, estate district is intended to apply to areas to be used for single-family dwellings on plots of substantial size, with incidental keeping of some domestic animals for use by the occupants of the dwellings. (Amend. Zoning Regs., § 11.1, 7-17-73)

**Sec. 39-180. 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 (1) of the following uses:

- (1) Any use permitted in an R-1A, R-1B or R-1C district, subject to the limitations and requirements specified for such use in section 39-329.
- (2) 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, including:
  - a. Guesthouse for gratuitous guests.
  - b. Servants' quarters.
  - c. Keeping of poultry or fowl not exceeding twenty-five (25) in total number, provided such poultry or fowl are kept in an enclosure which is located at least fifty (50) feet from any plot line.
  - d. Keeping of horses and cows not exceeding four (4) in total number for a plot of minimum permitted size. Where the plot exceeds thirty-five thousand (35,000) square feet in area, one (1) additional horse may be kept for each acre of plot area in excess of thirty-five thousand (35,000) square feet. Any roofed structure for shelter of such animals shall be located at least fifty (50) feet from any plot line.
  - e. Home occupation and office of doctor, dentist, architect, engineer or similar professional office,

utilizing not over twenty-five (25) per cent of the floor space of the one-family dwelling occupied by the professional man.

(3) Accessory uses on a plot that exceeds 2.3 acres in area shall include the following:

- a. Grove, produce farm, truck garden, horticultural farming, botanical garden, floriculture, plant nursery, sod farm, crop raising, hydroponic garden, greenhouse, slat house and beekeeping.
- b. Cattle and stock raising, dude ranch, riding stable, livery stable, boarding stable, not including hog raising. All structures for the housing of animals shall be at least fifty (50) feet from any property line.
- c. Wayside stands for display or sale of farm products produced on the premises. (Amend. Zoning Regs., § 11.2, 7-17-73)

**Sec. 39-181. Size of plot.**

Every plot shall be not less than one hundred twenty-five (125) feet in width and thirty-five thousand (35,000) square feet in area, except:

- (1) A plot used for a permitted sewage lift or pumping station, or for a transformer substation, need be no larger than necessary to provide required yards and setbacks.
- (2) When a plot which was recorded prior to January 1, 1973 and contained thirty-five thousand (35,000) square feet or more in area, was reduced in size due to the dedication of right-of-way for public use, the resulting plot need be no larger than one hundred twenty-five (125) feet in width and thirty thousand (30,000) square feet in area. Said plot shall not be further subdivided. (Amend. Zoning Regs., § 11.3, 7-17-73)

**Sec. 39-182. Plot coverage.**

The combined area occupied by all buildings and roofed structures shall not exceed twenty (20) per cent of the area of the plot. (Amend. Zoning Regs., § 11.4, 7-17-73)

**Sec. 39-183. Height.**

No building or structure shall be erected or altered to a height exceeding forty (40) feet, except that a permitted non-residential building or structure may extend to a height of sixty (60) feet. (Amend. Zoning Regs., § 11.5, 7-17-73)

**Sec. 39-184. Front yard.**

Every plot shall have a front yard not less than fifty (50) feet in depth unless a greater depth is required under Article V, yard space districts. (Amend. Zoning Regs., § 11.6, 7-17-73)

**Sec. 39-185. Side yards.**

Every plot shall have a side yard on each side, each of which shall be not less than twenty-five (25) feet in width, provided that the required side yard shall be increased by one (1) foot for each foot in height of structure exceeding forty (40) feet. (Amend. Zoning Regs., § 11.7, 7-17-73)

**Sec. 39-186. Rear yard.**

Every plot shall have a rear yard not less than twenty-five (5) feet in depth. (Amend. Zoning Regs., § 11.8, 7-17-73)

**Sec. 39-187. Minimum floor area.**

A one-family dwelling as a principal use shall have a minimum floor area of one thousand five hundred (1,500) square feet. (Amend. Zoning Regs., § 11.9, 7-17-73)

**Sec. 39-188. Accessory use setbacks.**

Accessory use structures shall observe the same setbacks, (side, front and rear) as the principal uses. (Amend. Zoning Regs., § 11.10, 7-17-73)

**Secs. 39-189—39-198. Reserved.**

**ARTICLE XII. LIMITED AGRICULTURAL A-1  
AND GENERAL AGRICULTURAL A-2 DISTRICTS**

**Sec. 39-199. Purpose of districts.**

The A-1, limited agricultural, and A-2, general agricultural districts are 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. (Amend. Zoning Regs., § 12.1, 7-17-73)

**Sec. 39-200. 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 (1) or more of the following specified uses:

**(1) In an A-1 limited agricultural district:**

- a. One-family dwellings on a plot at least thirty-five thousand (35,000) square feet in area with one hundred twenty-five (125) feet street frontage, except that a plot platted as a single lot or acquired prior to effective date of this chapter may be utilized for a one-family dwelling if plot has at least ten thousand (10,000) square feet of area and one hundred (100) feet street frontage.
- b. Home occupation and office of doctor, dentist, lawyer, architect, engineer or similar professional office utilizing not over twenty-five (25) per cent of the floor space of a one-family dwelling occupied by the operator of the home occupation or by the professional man.

- c. Hospital, convalescent home, nursery home, not including communicable diseases, insanity, feeble-mindedness, epileptics, drug addicts, alcoholics, penal or correctional institutions.
- d. Church, convent, monastery, parish house.
- e. Library, museum and similar institution of a non-commercial nature.
- f. Publicly owned or operated buildings and uses, including community buildings, public parks, playgrounds, beaches, but excluding dumps, sanitary fill or incinerators.
- g. Golf course, country club, private club, outdoor recreation club, provided all buildings are located at least fifty (50) feet from any street and at least one hundred (100) feet from any private plot line.
- h. Grove, produce farm, truck garden, horticultural farming, botanical garden, floriculture, nursery, sod farm, crop raising, hydroponic garden, greenhouse, slat house, forestry, beekeeping with use or keeping of animals only as incidental and accessory thereto.
- i. Cattle or stock grazing, dairy farm, not including hog raising, dude ranch, riding stable, livery stable, boarding stable.
- j. Raising of fish. Raising of poultry on property, part of which was used for poultry raising prior to June 1, 1962.
- k. Non-commercial boat pier or slip or boat house for docking of private water craft.
- l. Railroad right-of-way and tracks, passenger and freight terminal, team tracks, but not including yards, shops or roundhouses.
- m. Permanent or temporary structure to house farm labor personnel on a farm site with capacity of one (1) family or two (2) persons for each five (5) acres in said farm site, if said farm personnel are

employed on the same farm site on which the structure is located and said structures are located at least three hundred (300) feet away from any other property under separate and different ownership.

- n. Wayside stands for display or sale of farm products produced on the premises.
  - o. Cemetery, crematory, columbarium, mausoleum.
  - p. Eleemosynary or philanthropic institution.
  - q. Off-street parking of private passenger vehicles accessory to a use not located on the same premises or which is located outside of the A-1 district.
  - r. Driveway or access road to property in a zoning district other than A-1.
  - s. Accessory uses and structures.
- (2) In an A-2 general agricultural district:
- a. Any use permitted in an A-1 district.
  - b. Animal hospital, veterinary clinic, animal boarding place, dog kennel, fur farm.
  - c. Raising of poultry, hogs, sheep, goats; poultry slaughtering and dressing.
  - d. Accessory uses and structures. (Amend. Zoning Regs., § 12.2, 7-17-73)

**Sec. 39-201. Uses prohibited.**

The permissible uses enumerated in section 39-200 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.
- (2) Wholesale, warehouse or storage establishments.
- (3) Junkyards, house wrecking yard, automobile wrecking, used auto parts, 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.
- (6) Building supplies or material: Display, storage or sale.
- (7) Contractor, construction or equipment yard.
- (8) Display, storage or sale of merchandise, except as permitted in a wayside stand. (Amend. Zoning Regs., § 12.3, 7-17-73)

#### **Sec. 39-202. Height.**

No building or structure shall be erected or altered to a height exceeding sixty (60) feet. (Amend. Zoning Regs., § 12.4, 7-17-73)

#### **Sec. 39-203. Plot size.**

Plots for any permitted use shall have a minimum area of thirty-five thousand (35,000) square feet and a minimum street frontage of one hundred twenty-five (125) feet, except as hereinafter provided. A plot having a minimum area of ten thousand (10,000) square feet and a minimum width of one hundred (100) feet, and platted as a single lot or acquired by the present owner prior to the effective date of this chapter, may be utilized for a single-family dwelling. (Amend. Zoning Regs., § 12.5, 7-17-73)

#### **Sec. 39-204. Plot coverage.**

The combined area occupied by all main and accessory buildings and structures shall not exceed twenty (20) per cent of the plot area for a plot one (1) acre or more in area, and shall not exceed twenty-five (25) per cent of the plot area for a plot less than one (1) acre in area. (Amend. Zoning Regs., § 12.6, 7-17-73)

**Sec. 39-205. Front yard.**

Every plot shall have a front yard not less than twenty-five (25) feet in depth. (Amend. Zoning Regs., § 12.7, 7-17-73)

**Sec. 39-206. Side yards.**

(a) Every plot shall have a side yard on each side, each of which shall be not less than twenty-five (25) feet in width unless a greater width is required under section 39-209 following, except that a side yard for a one-family dwelling shall not be required to exceed ten (10) feet unless a greater width is required under subsection (b) below.

(b) Upon corner plots there shall be a front yard as hereinbefore specified and a side yard on the side street at least twenty-five (25) per cent of the plot width in width, provided that no such street side yard shall be required to exceed twenty-five (25) feet in width. (Amend. Zoning Regs., § 12.8, 7-17-73)

**Sec. 39-207. Rear yard.**

Every plot shall have a rear yard not less than twenty-five (25) feet in depth. (Amend. Zoning Regs., § 12.9, 7-17-73)

**Sec. 39-208. Yard modifications.**

The yard requirements specified in sections 39-205, 39-206 and 39-207 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, and which do not contain structures over twenty (20) feet in height.
- (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) The minimum front, side and rear yards hereinbefore specified shall be increased as follows:
  - a. Where a plot contains a building exceeding thirty (30) feet in height, all front, side and rear yards shall be increased by at least one (1) foot for each foot by which the height of such building exceeds thirty (30) feet.
  - b. Any structure twenty (20) feet or more in height shall be set back from all plot lines at least one (1) foot for each two (2) feet by which the height of the structure exceeds twenty (20) feet.
- (4) This section shall not supersede section 39-209 following. (Amend. Zoning Regs., § 12.5, 7-17-73)

#### **Sec. 39-209. Limitations of uses.**

For the purpose of this section, livestock shall mean cattle, horses, sheep, goats and the like, except hogs and poultry.

- (1) Structures for livestock raising, boarding or housing, such as barns, feed lofts and stables, shall not be located within one hundred (100) feet of any plot line, provided that a stable with a capacity of not over four (4) horses may be located at least fifty (50) feet from a side or rear plot line.
- (2) Structures for raising of poultry, such as pens, coops, shelters, feeders, and the like, shall not be located within one hundred (100) feet of any plot line, except that where such structures existing at the effective date of this chapter are located less than one hundred (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.

- (3) Structures for raising hogs, such as pens, sties, shelters, feeders, and the like, shall not be located within two hundred (200) feet of any plot line.
- (4) Hogs shall not be placed, kept or permitted within one hundred (100) feet of any plot line, within five hundred (500) feet of a dwelling under different and separate ownership nor within five hundred (500) feet of any residentially zoned property. (Amend. Zoning Regs., § 12.11, 7-17-73)

**Sec. 39-210. Minimum floor area.**

The minimum floor area of a single-family dwelling shall be six hundred (600) square feet, except for temporary housing for migratory farm labor. (Amend. Zoning Regs., § 12.12, 7-17-73)

**Secs. 39-211—39-220. Reserved.**

**ARTICLE XIII. AGRICULTURAL-UTILITY  
A-3 DISTRICT**

**Sec. 39-221. Purpose of district.**

The A-3, agricultural-utility district, is intended to apply to rural areas within which certain kinds of utility installations will be a necessary and appropriate use. (Amend. Zoning Regs., § 13.1, 7-17-73)

**Sec. 39-222. 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 (1) or more of the following specified uses:

- (1) Any use permitted in an A-2 district, subject to the limitations and requirements specified for such use in an A-2 district.
- (2) Public utility and public service: Buildings, not including power plants.

- (3) Sewage or water: Pumping stations, lift stations, tanks, reservoirs or treatment plants.
- (4) Radio or television transmitting or receiving: Station, structure or tower.
- (5) Research park, for investigation and experimentation in fields of inquiry such as medical, biological, chemical, agricultural and others of a similar nature but not including any manufacturing, sales or display of any product on the premises. Accessory uses shall include offices, libraries, laboratories, clinics, hospitals, barns, storage, shops and dwellings.
- (6) Accessory uses and structures. (Amend. Zoning Regs., § 13.2, 7-17-73)

#### **Sec. 39-223. Uses prohibited.**

The permissible uses enumerated in section 39-222 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.
- (2) Wholesale, warehouse or storage establishments.
- (3) Junkyards, house wrecking yard, automobile wrecking, used auto parts, 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.
- (6) Building supplies or materials: Display, storage or sale.
- (7) Contractor, construction or equipment yard.
- (8) Display, storage or sale of merchandise. (Amend. Zoning Regs., § 13.3, 7-17-73)

**Sec. 39-224. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding five hundred (500) feet. (Amend. Zoning Regs., § 13.4, 7-17-73)

**Sec. 39-225. Plot size.**

Every plot shall be at least five (5) acres in area, except that a lift station on a sewer line may be located on a plot at least seventy-five (75) feet wide and seven thousand five hundred (7,500) square feet in area. (Amend. Zoning Regs., § 13.5, 7-17-73)

**Sec. 39-226. Coverage.**

The combined area occupied by all buildings and structures shall not exceed twenty (20) per cent of the plot area. (Amend. Zoning Regs., § 13.6, 7-17-73)

**Sec. 39-227. Yards.**

(a) Every plot shall be provided with yards not less than fifty (50) feet in depth or width, except as hereinafter specified for lift stations.

(b) Any structure used as part of a sewage treatment plant, water treatment plant, or water pumping plant, including tank, bins, settling basins, reservoirs and other similar facilities, shall be located at least one hundred (100) feet from any plot line.

(c) Any structure or building exceeding twenty (20) feet in height shall not be located nearer to any property in separate or different ownership than a distance equal to one-half the height of such structure or building. (Amend. Zoning Regs., § 13.7, 7-17-73)

**Sec. 39-228. Yard modifications.**

On a plot used only for a sewage lift station and having no building over ten (10) feet in height and no structure over twenty-five (25) feet in height, the required yards shall be reduced to twenty-five (25) feet in depth or width. (Amend. Zoning Regs., § 13.8, 7-17-73)

**Secs. 39-229—39-238. Reserved.**

**ARTICLE XIV. AGRICULTURAL-AMUSEMENT  
A-4 DISTRICT**

**Sec. 39-239. Purpose of district.**

The A-4, agricultural-amusement district, is intended to apply to undeveloped areas within which certain types of recreational uses will be appropriate to a rural environment. (Amend. Zoning Regs., § 14.1, 7-17-73)

**Sec. 39-240. 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 (1) or more of the following specified uses:

- (1) Any use permitted in an A-1 district subject to the limitations and requirements specified for such use in an A-1 district.
- (2) Outdoor recreational establishments of a commercial nature, including drive-in theater, miniature golf course, golf or baseball driving range, swimming pool, bathing beach, picnic grounds.
- (3) Amusement pier, mechanical riding devices, carnivals, circuses, animal display, aquarium, menagerie, exhibit museum, and similar facilities.
- (4) Stadium, amphitheater, arena.
- (5) Outdoor rifle, shotgun or pistol shooting range.
- (6) Racetrack for animals or vehicles.
- (7) Accessory uses and structures. (Amend. Zoning Regs., § 14.2, 7-17-73)

**Sec. 39-241. Uses prohibited.**

The permissible uses enumerated in section 39-240 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 establishment.
- (2) Wholesale, warehouse or storage establishments.
- (3) Junkyards, house wrecking yard, automobile wrecking, used auto parts, 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.
- (6) Building supplies or material: Display, storage or sale.
- (7) Contractor, construction or equipment yard.
- (8) Display, storage or sale of merchandise except as accessory to a permitted use. (Amend. Zoning Regs., § 14.3, 7-17-73)

**Sec. 39-242. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding one hundred (100) feet. (Amend. Zoning Regs., § 14.4, 7-17-73)

**Sec. 39-243. Plot size.**

Every plot shall be not less than one hundred fifty (150) feet in width and shall be at least one (1) acre in area. (Amend. Zoning Regs., § 14.5, 7-17-73)

**Sec. 39-244. Coverage.**

The combined area occupied by all buildings and structures shall not exceed twenty (20) per cent of the plot area. (Amend. Zoning Regs., § 14.6, 7-17-73)

**Sec. 39-245. Yards.**

(a) Every plot shall be provided with yards adjacent to all plot lines, and each such yard shall not be less than fifty (50) feet in depth measured perpendicularly to the plot line.

(b) In addition to the above required yards, any building or structure shall be set back from all plot lines an additional one (1) foot for each foot by which the height of such building or structure exceeds twenty-five (25) feet in height. (Amend. Zoning Regs., § 14.7, 7-17-73)

#### **Sec. 39-246. Yard modifications.**

Notwithstanding any limitation or requirement specified in the preceding section, the following uses and structures shall not be located nearer to any property in separate and different ownership than the following:

- (1) For go-cart tracks, no racing ..... 50 feet
  - (2) For mechanical riding devices..... 200 feet
  - (3) For racetracks ..... 500 feet
  - (4) For stadium, amphitheater or arena ..... 300 feet
- (Amend. Zoning Regs., § 14.8, 7-17-73)

#### **Sec. 39-247. Limitations of uses.**

(a) Parking areas shall not be located nearer than twenty-five (25) feet to any street or alley plot line nor nearer than fifty (50) feet to any other plot line.

(b) Parking area shall be surfaced with a hard, durable, dustless material having an asphaltic or portland cement binder, and shall be maintained in good, clean condition. (Amend. Zoning Regs., § 14.9, 7-17-73)

#### **Secs. 39-248—39-257. Reserved.**

### **ARTICLE XV. AGRICULTURAL-EXCAVATION A-5 DISTRICT**

#### **Sec. 39-258. Purpose of district.**

The A-5, agricultural-excavation district, is intended to apply to undeveloped areas, the future character of which is undetermined, wherein there are natural deposits which can be removed without serious damage to the ultimate development of the county. (Amend. Zoning Regs., § 15.1, 7-17-73)

**Sec. 39-259. 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 (1) or more of the following specified uses:

- (1) Any use permitted in an A-1 district, subject to the limitations and requirements specified for such use in an A-1 district.
- (2) Sand, gravel, rock or stone pit or quarry or other operation, involving the extraction or mining of natural material. Removal of earth or top soil.
- (3) Crushing, screening and processing of materials mined or excavated on the premises, including concrete batching or mixing and asphalt mixing.
- (4) Accessory uses and structures. (Amend. Zoning Regs., § 15.2, 7-17-73)

**Sec. 39-260. Uses prohibited.**

The permissible uses enumerated in section 39-259 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, except incidental to mining operations on the premises.
- (2) Wholesale, warehouse or storage establishments.
- (3) Junkyards, house wrecking yard, automobile wrecking, used auto parts, 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 incidental to mining operations on the premises.
- (6) Building supplies or material: Display, storage or sale.
- (7) Contractor, construction or equipment yard.

- (8) Display, storage or sale of merchandise. (Amend. Zoning Regs., § 15.3, 7-17-73)

**Sec. 39-261. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding one hundred (100) feet. (Amend. Zoning Regs., § 15.4, 7-17-73)

**Sec. 39-262. Plot size.**

Every plot shall be not less than five (5) acres in area. (Amend. Zoning Regs., § 15.5, 7-17-73)

**Sec. 39-263. Yards.**

Every plot shall conform to all of the provisions of article LI, excavation regulations. (Amend. Zoning Regs., § 15.6, 7-17-73)

**Sec. 39-264. Limitations of uses.**

(a) No building or structure shall be located nearer than one hundred (100) feet to any plot line.

(b) No mixing or batching plant, or bin, tank, silo or structure incidental to such plant, shall be located nearer than three hundred (300) feet to any property in separate and different ownership. (Amend. Zoning Regs., § 15.7, 7-17-73)

**Secs. 39-265—39-274. Reserved.**

**ARTICLE XVI. AGRICULTURAL-DISPOSAL  
A-6 DISTRICT**

**Sec. 39-275. Purpose of district.**

The A-6, agricultural-disposal district, is intended to apply to areas appropriate for the disposal of materials wherein such disposal will not adversely affect desirable future development. (Amend. Zoning Regs., § 16.1, 7-17-73)

**Sec. 39-276. 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 (1) or more of the following specified uses:

- (1) Any use permitted in an A-1 district, subject to the limitations and requirements specified for such use in an A-1 district.
- (2) Dump, sanitary fill, incinerator.
- (3) Accessory structures and uses. (Amend. Zoning Regs., § 16.2, 7-17-73)

**Sec. 39-277. Uses prohibited.**

The permissible uses enumerated in section 39-276 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.
- (2) Wholesale, warehouse or storage establishments.
- (3) Junkyards, house wrecking yard, automobile wrecking, used auto parts, 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.
- (6) Building supplies or material: Display, storage or sale.
- (7) Contractor, construction or equipment yard.
- (8) Display, storage or sale of used or secondhand merchandise. (Amend. Zoning Regs., § 16.3, 7-17-73)

**Sec. 39-278. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding one hundred fifty (150) feet. (Amend. Zoning Regs., § 16.4, 7-17-73)

**Sec. 39-279. Plot size.**

(a) A plot used for disposal of refuse, not including garbage or animal refuse, shall be not less than five (5) acres in area.

(b) A plot used for disposal of refuse including garbage or animal refuse, shall be not less than twenty (20) acres in area.

(c) A plot used for an incinerator shall be not less than forty (40) acres in area. (Amend. Zoning Regs., § 16.5, 7-17-73)

**Sec. 39-280. Plot coverage.**

The combined area occupied by all main and accessory buildings and uses shall not exceed ten (10) per cent of the plot area. (Amend. Zoning Regs., § 16.6, 7-17-73)

**Sec. 39-281. Yards.**

(a) Every plot shall have side and rear yards at least fifty (50) feet in depth or width and a front yard at least seventy-five (75) feet in depth.

(b) Every plot used for disposal of refuse including garbage or animal refuse shall have yards adjacent to all plot lines not less than one hundred (100) feet in depth.

(c) No part of any incinerator or its appurtenant attached building or structures shall be located within five hundred (500) feet of any plot line. (Amend. Zoning Regs., § 16.7, 7-17-73)

**Sec. 39-282. Limitations of uses.**

Any plot utilized for a dump or for deposit of refuse shall be used, operated and maintained in accordance with the following regulations:

- (1) An attendant shall be kept on duty during hours the disposal area is open to control deposit of refuse.
- (2) The disposal area shall be enclosed sufficiently by a fence with gate or by other means so as to limit use to authorized periods, and for proper purposes.

- (3) No burning of refuse shall be permitted within ten thousand five hundred sixty (10,560) feet of any residentially zoned property in the incorporated or unincorporated territory of Broward County, except by combustion in a completely enclosed incinerator of adequate design and operation to prevent emission of fly ash and dense smoke. There shall be no burning of refuse between the hours of 7:00 p.m. and 7:00 a.m.
- (4) No refuse to be deposited within any required yard.
- (5) Refuse to be compacted daily and topped by a soil cover daily.
- (6) Maximum depth of fill shall not exceed ten (10) feet above existing ground level. (Amend. Zoning Regs., § 16.8, 7-17-73)

**Secs. 39-283—39-292. Reserved.**

## **ARTICLE XVII. AGRICULTURAL-RESTRICTED DISPOSAL A-7 DISTRICT**

### **Sec. 39-293. Purpose of district.**

The A-7, agricultural-restricted disposal district, is intended to apply to areas appropriate for the disposal of materials on a restricted basis, wherein such restricted disposal will not prevent proper development of surrounding territory. (Amend. Zoning Regs., § 17.1, 7-17-73)

### **Sec. 39-294. 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 (1) or more of the following specified uses:

- (1) Any use permitted in an A-1 district, subject to the limitations and requirements specified for such use in an A-1 district.
- (2) Dump, sanitary fill, disposal area.

- (3) Accessory structures and uses. (Amend. Zoning Regs., § 17.2, 7-17-73)

**Sec. 39-295. Uses prohibited.**

The permissible uses enumerated in section 39-294 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.
- (2) Wholesale, warehouse or storage establishments.
- (3) Junkyards, house wrecking yard, automobile wrecking, used auto parts, display, storage or sale.
- (4) Automobile, truck or trailer: Display, storage, service, processing or sale.
- (5) Oil, asphalt or petroleum products: Drilling, removal, storage, processing or sale.
- (6) Building supplies or material: Display, storage or sale.
- (7) Contractor, construction or equipment yard.
- (8) Display, storage or sale of used or secondhand merchandise. (Amend. Zoning Regs., § 17.3, 7-17-73)

**Sec. 39-296. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding one hundred fifty (150) feet. (Amend. Zoning Regs., § 17.4, 7-17-73)

**Sec. 39-297. Plot size.**

(a) A plot used for disposal of refuse, not including garbage or animal refuse, shall be not less than five (5) acres in area.

(b) A plot used for disposal of refuse including garbage or animal refuse, shall be not less than twenty (20) acres in area. (Amend. Zoning Regs., § 17.5, 7-17-73)

**Sec. 39-298. Plot coverage.**

The combined area occupied by all main and accessory buildings and uses shall not exceed ten (10) per cent of the plot area. (Amend. Zoning Regs., § 17.6, 7-17-73)

**Sec. 39-299. Yards.**

(a) Every plot shall have side and rear yards at least fifty (50) feet in depth or width and a front yard at least seventy-five (75) feet in depth.

(b) Every plot used for disposal of refuse including garbage or animal refuse shall have yards adjacent to all plot lines not less than one hundred (100) feet in depth. (Amend. Zoning Regs., § 17.7, 7-17-73)

**Sec. 39-300. Limitations of uses.**

Any plot utilized for a dump or for deposit of refuse shall be used, operated and maintained in accordance with the following regulations:

- (1) An attendant shall be kept on duty during hours the disposal area is open to control deposit of refuse.
- (2) The disposal area shall be enclosed sufficiently by a fence with gate or by other means so as to limit use to authorized periods, and for proper purposes.
- (3) There shall be no burning or incineration of any kind.
- (4) No refuse is to be deposited within any required yard.
- (5) Refuse is to be compacted daily and topped by a soil cover daily.
- (6) Maximum depth of fill shall not exceed ten (10) feet above existing ground level. (Amend. Zoning Regs., § 17.8, 7-17-73)

**Secs. 39-301—39-310. Reserved.**

**ARTICLE XVIII. AGRICULTURAL-SANITARY  
FILL A-8 DISTRICT****Sec. 39-311. Purpose of district.**

The A-8, agricultural-sanitary fill district, is intended to apply to areas appropriate for the burying of certain types of refuse without adverse effect upon surrounding property. (Amend. Zoning Regs., § 17.1A, 7-17-73)

**Sec. 39-312. 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 (1) or more of the following specified uses:

- (1) Any use permitted in an A-1 district, subject to the limitations and requirements specified for such use in an A-1 District.
- (2) Dump or place of disposal for non-organic refuse and limited organic refuse.
- (3) Accessory uses and structures. (Amend. Zoning Regs., § 17.2A, 7-17-73)

**Sec. 39-313. Prohibited uses.**

The permissible uses enumerated in section 39-312 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.
- (2) Wholesale, warehouse, or storage establishments.
- (3) Junkyards, house wrecking yard, automobile wrecking, used auto parts, 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.

- (6) Building supplies or material: Display, storage or sale.
- (7) Contractor, construction or equipment yard.
- (8) Display, storage or sale of used or secondhand merchandise.
- (9) Disposal, dumping or burying of waste or discarded foods of animal or vegetable origin.
- (10) Burning of refuse or waste materials. (Amend. Zoning Regs., § 17.3A, 7-17-73)

**Sec. 39-314. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding fifteen (15) feet. (Amend. Zoning Regs., § 17.4A, 7-17-73)

**Sec. 39-315. Plot size.**

A plot for a use first permitted in an A-8 district shall not be less than five (5) acres in size. (Amend. Zoning Regs., § 17.5A, 7-17-73)

**Sec. 39-316. Plot coverage.**

The combined area occupied by all main and accessory buildings and structures shall not exceed one (1) per cent of the plot area. (Amend. Zoning Regs., § 17.6A, 7-17-73)

**Sec. 39-317. Yards.**

(a) Every plot shall have yards not less than fifty (50) feet in depth adjacent to all private plot lines and all alley lines.

(b) Every plot shall have yards not less than one hundred (100) feet in depth adjacent to all street lines; provided, that an accessory building not over four hundred (400) square feet in area may be located in the aforesaid one hundred (100) foot yard if placed not less than fifty (50) feet from any street line. (Amend. Zoning Regs., § 17.7A, 7-17-73)

**Sec. 39-318. Limitations of uses.**

The use of a plot for sanitary fill purposes shall be subject to the following limitations and conditions:

- (1) An attendant shall be kept on duty during hours the sanitary fill area is open to control deposit of refuse.
- (2) The sanitary fill area shall be enclosed sufficiently by a fence with gate or by other means so as to limit use to authorized periods, and for proper purposes.
- (3) There shall be no burning or incineration of any kind.
- (4) No refuse is to be deposited within any required yard.
- (5) Refuse is to be compacted daily and topped by a soil cover daily, such soil cover to be not less than twelve (12) inches in depth.
- (6) Maximum depth of fill shall not exceed ten (10) feet above existing ground level.
- (7) Refuse deposited in sanitary fill shall not include any waste or discarded foods, food products or food materials of animal or vegetable origin. (Amend. Zoning Regs., § 17.8A, 7-17-73)

**Secs. 39-319—39-328. Reserved.****ARTICLE XIX. ONE-FAMILY DWELLING—R-1A  
TO R-1C DISTRICTS****Sec. 39-329. 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 (1) 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) Educational, recreational and social centers not operated for profit and intended to serve the surrounding neighborhood. Such use shall be located on a plot having at least forty thousand (40,000) square feet of area and having at least two hundred (200) feet of street frontage. Any building or roofed structure on a plot utilized for such use shall be located at least fifty (50) feet from any other residentially zoned property. No parking area shall be located within twenty (20) feet of any plot line.
- (7) Golf course, not including miniature golf course or practice driving tee, providing plot comprises at least one hundred (100) acres of land in one parcel and any accessory parking area, building or structure is located at least one hundred (100) feet from any other residentially zoned property.
- (8) Church, and church or parochial school incidental to a church on the same premises. Such use shall be located on a plot having at least forty thousand (40,000) square feet of plot area and having at least two hundred (200) feet of street frontage. The coverage of all roofed structures shall not exceed twenty-five (25) per cent of the plot area. No building or roofed structure shall be located within forty (40) feet of any other residentially zoned property. No parking area shall be located within ten (10) feet of any plot line.
- (9) Sewage or water: Treatment, pumping and storage plants to serve the surrounding residential area. Such plants shall conform to the following requirements:
  - a. The plot shall be not less than one hundred (100) feet in width and ten thousand (10,000) square feet in area, and as large as necessary to provide required setback areas.

- b. No building or structure shall be located nearer to any other residentially zoned property or to any street line than a distance equal to the height of such building or structure.
  - c. No unenclosed sewage treatment facility shall be located nearer to any street line than one hundred twenty-five (125) feet nor nearer to any other residentially zoned property than one hundred seventy-five (175) feet.
  - d. No enclosed sewage treatment facility, or water pumping or treatment facility, shall be located nearer than thirty-five (35) feet to any street line or nearer than fifty (50) feet to any other residentially zoned property.
  - e. All plots shall have a landscaped setback area at least thirty-five (35) feet in width or depth adjacent to all street lines, and adjacent to all plot lines separating the subject plot from other residentially zoned property. The landscaped setback area shall not be used for any building, structure, fence, wall, parking, storage or other use except that a fence not over five (5) feet in height may be erected in any such setback area at least thirty-five (35) feet from any street line. The landscaped setback area shall be planted with grass, shrubbery and trees, and no part shall be paved or surfaced except for minimum driveways and walkways for access. All landscaping shall be maintained in a healthy, growing condition, properly trimmed and watered.
  - f. All machinery, equipment and mechanical or electrical facilities shall be so designed and operated as to minimize noise effects upon surrounding residential properties.
  - g. Plots shall not be used for business, storage or service purposes for a franchised area.
- (10) Sewage lift or pumping stations, containing no treatment facilities, subject to the following requirements:

- a. Where the station is of the underground type, all parts of which are at least three (3) feet below grade except for an access tube not over five (5) feet in maximum horizontal dimension extending not over three (3) feet above grade, and meters and switches on a post extending not over five (5) feet above grade, such access tube and meter or switch post may be located within a utility easement but not less than fifteen (15) feet from any street line. If not located in a utility easement, all such above ground structures shall be at least twenty-five (25) feet from any street line and at least fifteen (15) feet from any plot line.
  - b. Where the station is wholly or partially above grade, there shall be a yard at least thirty (30) feet in depth adjacent to all residentially zoned property. These requirements shall supersede the requirements of sections 39-330, 39-333, 39-334 and 39-335.
  - c. All yards and plot areas shall be landscaped with grass, shrubbery and trees which shall be kept in a healthy, growing condition, properly watered and trimmed.
- (11) Transformer substation subject to the following requirements:
- a. The plot shall be provided with yards not less than thirty (30) feet in depth or width adjacent to all street lines and plot lines of other residentially zoned property and a yard at least twenty-five (25) feet in depth adjacent to a rear plot line.
  - b. The yards required under this paragraph shall be fully landscaped with grass, shrubbery and trees, and shall not be used for any fence, wall, building or structure, except that a fence not over six (6) feet in height may be erected at least thirty (30) feet from any street line. Minimum driveways or walkways necessary for access may cross required yards.

c. All landscaped areas shall be maintained in a healthy growing condition, properly watered and trimmed.

- (12) 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. (Amend. Zoning Regs., § 18.1, 7-17-73)

#### **Sec. 39-330. Size of plot.**

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

- (1) *R-1A districts*: Plot width of one hundred (100) feet and plot area of ten thousand (10,000) square feet.
- (2) *R-1B districts*: Plot width of seventy-five (75) feet and plot area of seven thousand five hundred (7,500) square feet.
- (3) *R-1C districts*: Plot width of sixty (60) feet and plot area of six thousand (6,000) square feet.

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

(c) Every plot upon which a permitted non-residential structure or use is erected or placed shall be not less than one hundred (100) feet in width and ten thousand (10,000) square feet in area. (Amend. Zoning Regs., § 18.2, 7-17-73)

#### **Sec. 39-331. Plot coverage.**

The combined area occupied by all principal and accessory buildings shall not exceed forty (40) per cent of the area of the plot. (Amend. Zoning Regs., § 18.3, 7-17-73)

#### **Sec. 39-332. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding either two (2) stories or thirty-five (35) feet, except that a steeple or tower on a church may extend to a height of fifty (50) feet. (Amend. Zoning Regs., § 18.4, 7-17-73)

**Sec. 39-333. Front yard.**

(a) *Residential uses.* Every plot used for a one-family dwelling shall have a front yard not less than twenty-five (25) feet in depth, unless a greater depth is required under Article V, yard space districts.

(b) *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 thirty (30) feet in depth, unless a greater depth is required under Article V, yard space districts. (Amend. Zoning Regs., § 18.5, 7-17-73)

**Sec. 39-334. Side yards.**

(a) *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 ten (10) feet wide in an R-1A and at least seven and one-half (7½) feet wide in R-1B or R-1C districts, except that where a plot is less than sixty (60) feet in width, each side yard shall be at least five (5) feet in width.

(b) *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 twenty (20) feet in width with an increase of one (1) foot in width of each side yard for every two (2) feet in height of the structure in excess of twenty (20) feet.

(c) *Corner plots.* Upon corner plots there shall be a front yard as hereinbefore specified, and in addition thereto a side yard at least fifteen (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. (Amend. Zoning Regs., § 18.6, 7-17-73)

**Sec. 39-335. Rear yard.**

(a) *Residential uses.* Every plot used for a one-family dwelling shall have a rear yard not less than fifteen (15) feet in depth.

(b) *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 twenty-five (25) feet in depth. (Amend. Zoning Regs., § 18.7, 7-17-73)

**Sec. 39-336. Minimum floor area.**

A one-family dwelling shall have a minimum floor area of one thousand five hundred (1,500) square feet in an R-1A district, one thousand (1,000) square feet in an R-1B district and six hundred (600) square feet in an R-1C district. (Amend. Zoning Regs., § 18.8, 7-17-73)

**Secs. 39-337—39-346. Reserved.**

**ARTICLE XX. ONE-FAMILY DWELLING PARKING  
R-1P.DISTRICT**

**Sec. 39-347. Purpose of district.**

The R-1P, one-family dwelling-parking district, is intended to apply to areas normally residential in character and located in a generally residential neighborhood which are located adjacent to a business district and which are needed for non-commercial off-street parking to serve public convenience, to reduce street congestion and to facilitate desirable business development for service to the surrounding residential sections. (Amend. Zoning Regs., § 19.1, 7-17-73)

**Sec. 39-348. 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 (1) or more of the following specified uses:

- (1) Any use permitted in any one-family dwelling district with limitations and requirements specified in this chapter for such use in that most restrictive residential district which is closest thereto.

- (2) Open parking lot, for the parking of private passenger vehicles, subject to all of the provisions of section 39-350, open parking lot regulations. (Amend. Zoning Regs., § 19.2, 7-17-73)

**Sec. 39-349. Location of R-1P districts.**

An R-1P district shall be contiguous to, or separated only by an alley from a B-1, B-2, B-2A, B-2B or B-3 district. (Amend. Zoning Regs., § 19.3, 7-17-73)

**Sec. 39-350. Open parking lot regulations.**

*(a) Limitation of use.*

- (1) 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 lot.
- (2) No structures other than those specifically permitted or required shall be erected on the premises.
- (3) No advertising signs shall be erected on the premises except that not more than one (1) 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 twenty (20) square feet in area, not extend to a greater height than six (6) feet above the ground, and shall be erected within the parking area.

*(b) 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 twenty (20) feet of residentially zoned property adjacent to business zoning may be used for access.

(c) *Protective wall.* The parking area shall be provided with a continuous unpierced masonry wall five (5) feet in height adjacent to all required yards and adjacent to all other contiguous residentially zoned property. All such walls shall be smoothly finished and shall not be used for any sign.

(d) *Side yards.*

- (1) Where the parking plot is contiguous to side plot lines of residentially zoned property, a side yard at least ten (10) feet in width shall be provided.
- (2) 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 five (5) feet in width shall be provided.

(e) *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 twenty-five (25) feet in depth. Where one (1) 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 twenty-five (25) feet in depth than the deeper of these existing front yards, unless a greater depth is required under Article V, yard space districts.

(f) *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 five (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.

(g) *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.

(h) *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. (Amend. Zoning Regs., § 19.4, 7-17-73)

**Secs. 39-351—39-360. Reserved.**

## ARTICLE XXI. MOBILE HOME DWELLING R-1T DISTRICT

### **Sec. 39-361. 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 or individually owned plots or for occupancy under a lease or rental for a period in excess of one (1) year. (Amend. Zoning Regs., § 20.1, 7-17-73)

### **Sec. 39-362. 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:

- (1) One single-family dwelling in the form of a house trailer together with attached appurtenant and accessory structures.
- (2) Sewage and water treatment, pumping and storage plants to serve an R-1T district, and conforming to the provisions of section 39-329(9) of this chapter.
- (3) Educational, recreational, service and social centers not operated for profit and intended to serve the surrounding neighborhood, and located on a plot having at least ten thousand (10,000) square feet of area and having at least one hundred (100) feet of street frontage. Any building or roofed structure shall be located at least twenty-five (25) feet from any other residentially zoned property.

- (4) Sewage lift or pumping stations, subject to the requirements specified in section 39-329(10) of this chapter.
- (5) Transformer substation, subject to the requirements of section 39-329(11) of this chapter. (Amend. Zoning Regs., § 20.2, 7-17-73)

**Sec. 39-363. Limitations and special requirements.**

(a) The mobility of the vehicles used as a mobile home or house trailer shall be maintained. Each unit of a mobile home originally moved onto the site as a separate house trailer, shall be kept currently licensed each year as provided under Section 320.081, Florida Statutes.

(b) Attached appurtenant and accessory buildings and structures shall meet all county building code requirements.

(c) Plumbing fixtures and electrical connections associated with cooking facilities shall not be permitted in any building or structure other than the mobile home itself.

(d) Each plot shall abut on a public street at least fifty (50) feet in width.

(e) Any R-1T district shall be at least five (5) acres in gross area. R-1T zoning shall be applied only to property properly platted under a subdivision plat of record.

(f) Each plot shall be supplied with water and sewer facilities meeting the standards of the county health department and approved by that department.

(g) For the purpose of this article, the term "mobile home" shall mean a house trailer which is moved to the site on its own wheels, the mobility of the house trailer being maintained by built-in undercarriage and/or axles, so that the house trailer can be removed from the site on its own wheels which were used in moving it to the site. This definition shall not preclude the temporary removal of the wheels provided they are stored on the site, nor shall it preclude the use of foundations for temporary support of the house trailer while the wheels are temporarily removed. (Amend. Zoning Regs., § 20.3, 7-17-73)

**Sec. 39-364. Height.**

No building or structure or part thereof shall be erected to a height exceeding twelve (12) feet, provided that this limitation shall not apply to radio or television antennae. (Amend. Zoning Regs., § 20.4, 7-17-73)

**Sec. 39-365. Plot size.**

Each plot shall be not less than forty (40) feet in width and not less than eighty (80) feet in depth, width to be measured perpendicularly to the side plot line. This requirement shall not apply to any area, subdivision or development, part or all of which was used for mobile home dwellings prior to January 1, 1962, and which has been zoned in an R-1T district after January 1, 1962. (Amend. Zoning Regs., § 20.5, 7-17-73)

**Sec. 39-366. Yards.**

(a) *Side yards.* Every plot shall be provided with side yards not less than four (4) feet in width, except that a roofed carport, without enclosure or side walls, may be located not closer than two (2) feet to any interior side plot line. The side of an open carport erected as an addition to a mobile home shall not be deemed to be enclosed by an exterior wall of the mobile home, or by an exterior wall of a storage room.

(b) *Front yards.* Every plot shall be provided with a front yard not less than six (6) feet in depth.

(c) *Rear yards.* Every plot shall be provided with a rear yard not less than eight (8) feet in depth.

(d) *Encroachments.* No enclosed or roofed structure shall be located in any required yard or setback area, except as specified in subsection (a) above.

(e) *Exempted areas.* In areas, subdivisions or developments, part or all of which was used for mobile home dwellings prior to January 1, 1962, and which has been zoned in an R-1T district after January 1, 1962, shall be

exempt from the provisions of subsections (a), (b) and (c) above, but the following setback requirements shall apply therein:

Roofed or enclosed structures shall not be located less than five (5) feet from a front plot line, less than eight (8) feet from a rear plot line, nor less than four (4) feet from a side plot line, except that a roofed carport without enclosure or side walls may be located not less than two (2) feet from a side plot line. The side of an open carport erected as an addition to a mobile home shall not be deemed to be enclosed by an exterior wall of the mobile home, or by an exterior wall of a storage room. (Amend. Zoning Regs., § 20.6, 7-17-73)

**Sec. 39-367. Existing mobile home developments.**

Any area, subdivision or development, part or all of which was used for mobile home dwellings prior to January 1, 1962, and which is zoned in an R-1T district after January 1, 1962, shall not be subject to the requirements of section 39-363(d) and (e). (Amend. Zoning Regs., § 20.7, 7-17-73)

**Secs. 39-368—39-377. Reserved.**

**ARTICLE XXII. SPECIAL ONE-FAMILY  
D-1 DISTRICTS**

**Sec. 39-378. Purpose of district.**

The D-1, special one-family district, is intended to apply to areas to be used for one-family dwellings in a project wherein each dwelling is held by a separate and different owner and the project area is held in common by all the participating site owners. (Amend. Zoning Regs., § 20.1A, 7-17-73)

**Sec. 39-379. 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:

- (1) A special one-family project consisting of two (2) or more one-family dwellings, each in a separate structure detached from any other structure.
- (2) Uses accessory to the above, including recreation facilities, utility service facilities, community centers. (Amend. Zoning Regs., § 20.2A, 7-17-73)

**Sec. 39-380. Size of plot.**

No plot shall be less than one (1) acre area. (Amend. Zoning Regs., § 20.3A, 7-17-73)

**Sec. 39-381. Plot coverage.**

The combined area occupied by all buildings and roofed structures shall not exceed thirty-five (35) per cent of the area of the plot. (Amend. Zoning Regs., § 20.4A, 7-17-73)

**Sec. 39-382. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding two (2) stories or thirty (30) feet. (Amend. Zoning Regs., § 20.5A, 7-17-73)

**Sec. 39-383. Yards.**

(a) No dwelling shall be located less than twenty-five (25) feet from a public or private street, provided that dwellings located at the intersection of two (2) streets, public or private, shall be required to set back twenty-five (25) feet from only one of such intersecting streets and in these cases, the twenty-five-foot setback shall be located on the street adjacent to any carport or garage entrance, and the setback from the other intersecting public or private street shall be not less than fifteen (15) feet. The aforesaid twenty-five-foot requirement shall be reduced to a fifteen-foot setback requirement for sites fronting on N.W. 1st Terrace and N.W. 44th Street in the subdivision of Spring Lake Second Section as recorded in Plat Book 63 at Page 16 of the public records of Broward County, Florida, because this project has already been fully planned and partially completed.

(b) Every plot shall have a yard not less than twenty-five (25) feet in depth adjacent to any street when the property across such street is zoned in any residential district except A-1, D-1, T-1 or R-1T.

(c) Every plot shall have a yard not less than fifteen (15) feet in depth adjacent to any other property, adjacent to an alley or adjacent to a waterway, canal or body of water, provided that this requirement shall not apply where such other property is zoned in a D-1 district. (Amend. Zoning Regs., § 20.6A, 7-17-73)

#### **Sec. 39-384. Minimum floor area.**

The minimum floor area of a one-family dwelling shall be six hundred (600) square feet. (Amend. Zoning Regs., § 20.7A, 7-17-73)

#### **Sec. 39-385. Separation of buildings.**

(a) There shall be not less than ten (10) feet minimum clearance between the outer walls of any two (2) buildings each of which is one (1) story in height.

(b) There shall be not less than fifteen (15) feet minimum clearance between the outer walls of any two (2) buildings where one (1) of these two (2) buildings is two (2) stories in height.

(c) There shall be not less than twenty (20) feet minimum clearance between the outer walls of any two (2) buildings each of which is two (2) stories in height. (Amend. Zoning Regs., § 20.8A, 7-17-73)

#### **Sec. 39-386. Plot area per unit.**

Every plot shall have a gross area sufficient to provide not less than five thousand (5,000) square feet per one-family dwelling. (Amend. Zoning Regs., § 20.9A, 7-17-73)

#### **Sec. 39-387. Definition of plot.**

For the purposes of this article, plot shall mean the entire area occupied by a special one-family project, including

areas occupied by buildings, yards, setbacks, parking, driveways, recreation, service facilities, private streets and accessory uses. It shall not include public streets. (Amend. Zoning Regs., § 20.10A, 7-17-73)

**Sec. 39-388. Limitations and special requirements.**

(a) Before property is zoned in a D-1 district, it shall be platted under a subdivision plat of record. Such plat shall not be required to indicate individual sites, areas subject to tenancy in common or recreation areas. Private streets serving two (2) or more sites shall be shown on such plat.

(b) All private streets and drives serving two (2) or more sites shall be not less than thirty-four (34) feet in width and shall be paved to a width of at least twenty-two (22) feet. An easement for underground utilities and access for emergency vehicles shall be dedicated over all private streets.

(c) No private street or drive shall exceed one thousand three hundred twenty (1,320) feet in centerline length between points of intersection with a public street, provided that a private street or drive terminating in a paved turnaround not less than seventy (70) feet in diameter, and not over four hundred (400) feet in overall length, may be utilized to serve sites, provided that this paragraph shall not apply to Golfview Drive in the area included in the subdivision of Crystal Lake Third Section, as recorded in Plat Book 60, Page 16 of the public records of Broward County, Florida.

(d) Each D-1 project shall have space designated for recreational purposes for the use of the occupants of the project, and said recreational space shall have at least two hundred (200) square feet of area for each dwelling unit in the project. No space less than ten thousand (10,000) square feet in area or less than fifty (50) feet in any dimension shall be counted in meeting recreational requirements. One D-1 project may supply required recreational space for other separate but related D-1 projects, all of which are to have a single association for operation and maintenance.

(e) For the purpose of this article, all land in a plot occupied by a D-1 project shall be held in common by the site owners except the specific and limited areas which are to be subject to individual ownership. This means that all yards, setback areas, private streets and recreation areas, except as provided in subsection (h) following, are common property. The areas which are to be subject to private individual ownership shall be located at least twenty-five (25) feet from any public or private street except as provided in section 39-383(a) for setbacks at the intersection of two (2) streets, and each such area shall be separated by at least ten (10) feet from any other such area.

(f) After recording of the original subdivision plat, no area occupied by or to be occupied by a D-1 project shall be further subdivided into lots by a subdivision plat or be further subdivided into lots by metes and bounds description.

(g) No building permit shall be issued for the construction of any part of a special one-family project in a D-1 district unless and until instruments have been placed upon the public records of Broward County, Florida, providing that all areas subject to common ownership and the exterior portions of all structures constructed on sites subject to private individual ownership, and all recreation areas shall be maintained by a membership corporation organized for such purposes in which site owners shall be members. A certified copy of such instruments shall be attached to the first application for a building permit in a special one-family project in a D-1 district, and thereafter reference to the official records book and pages where such documents are recorded shall be affixed to each subsequent application for a building permit in the same special one-family project.

(h) Where recreation areas are not made part of the common property in a D-1 project, such recreation areas shall be made subject to leases or easements for a period of at least forty-nine (49) years in favor of the site owners of the association created for the purpose of operating and maintaining the D-1 project.

(i) The provisions of subsections (d), (g) and (h) shall not apply to a D-1 district project which has been fully planned and partially completed prior to the effective date of this amendment. (Amend. Zoning Regs., § 20.11A, 7-17-73)

**Secs. 39-389—39-398. Reserved.**

## ARTICLE XXIII. TWO-FAMILY DWELLING R-2 DISTRICTS

### **Sec. 39-399. 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 or R-1C 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. (Amend. Zoning Regs., § 21.1, 7-17-73)

### **Sec. 39-400. Size of plot.**

(a) *Dwellings.* Every plot upon which a residential structure is erected shall be not less than sixty (60) feet in width and six thousand (6,000) square feet in area, except that a plot, consisting of a single lot of record not less than fifty (50) feet in width, and held in separate ownership at the effective date of this chapter, may be utilized for a two-family dwelling.

(b) *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 one hundred (100) feet in width and ten thousand (10,000) square feet in area. (Amend. Zoning Regs., § 21.2, 7-17-73)

**Sec. 39-401. Plot coverage.**

The combined area occupied by all main and accessory buildings shall not exceed forty (40) per cent of the area of the plot. (Amend. Zoning Regs., § 21.3, 7-17-73)

**Sec. 39-402. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding either two (2) stories or thirty-five (35) feet, except that a steeple or tower on a church may extend to a height of fifty (50) feet. (Amend. Zoning Regs., § 21.4, 7-17-73)

**Sec. 39-403. Front yard.**

(a) *Residential uses.* Every plot used for dwelling purposes shall have a front yard not less than twenty-five (25) feet in depth.

(b) *Non-residential uses.* Every plot whose principal use is non-residential shall have a front yard not less than thirty (30) feet in depth. (Amend. Zoning Regs., § 21.5, 7-17-73)

**Sec. 39-404. Side yards.**

(a) *Residential uses.* Every plot used for dwelling purposes shall have a side yard on each side, each of which shall be at least seven and one-half (7½) feet in width, except that where a plot is less than sixty (60) feet in width, each side yard shall be at least five (5) feet in width.

(b) *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 twenty (20) feet in width, with an increase of one (1) foot in width of each side yard for each two (2) feet in height of the structure in excess of twenty (20) feet.

(c) *Corner plots.* Upon corner plots there shall be a front yard as herein before specified, and also a side yard at least fifteen (15) feet in width on the side of the plot abutting on the side street. (Amend. Zoning Regs., § 21.6, 7-17-73)

**Sec. 39-405. Rear yard.**

(a) *Residential uses.* Every plot whose principal use is residential shall have a rear yard not less than fifteen (15) feet in depth.

(b) *Non-residential uses.* Every plot whose principal use is non-residential shall have a rear yard not less than twenty-five (25) feet in depth. (Amend. Zoning Regs., § 21.7, 7-17-73)

**Sec. 39-406. Minimum floor area.**

The minimum floor area of a one-family dwelling shall be six hundred (600) square feet and the minimum floor area of a dwelling unit in a two-family dwelling shall be four hundred (400) square feet. (Amend. Zoning Regs., § 21.8, 7-17-73)

**Secs. 39-407—39-416. Reserved.**

**ARTICLE XXIV. TWO-FAMILY DWELLING-PARKING R-2P DISTRICTS**

**Sec. 39-417. Purpose of district.**

The R-2P, two-family dwelling-parking district, is intended to apply to areas normally residential in character and located in a generally residential neighborhood which are situated adjacent to a business district and which are needed for non-commercial off-street parking to serve public convenience, to reduce street congestion and to facilitate desirable business development to serve the surrounding residential sections. (Amend. Zoning Regs., § 22.1, 7-17-73)

**Sec. 39-418. 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 (1) one or more of the following specified uses:

- (1) Any use permitted in an R-2 district, subject to all of the limitations and requirements specified in this chapter for such use in that district.
- (2) Any use permitted in an R-1P district, subject to all of the limitations and requirements specified in this chapter for such use in that district. (Amend. Zoning Regs., § 22.2, 7-17-73)

**Sec. 39-419. Location of R-2P districts.**

An R-2P district shall be contiguous to, or separated only by an alley from a B-1, B-2, B-2A, B-2B or B-3 district. (Amend. Zoning Regs., § 22.3, 7-17-73)

**Secs. 39-420—39-429. Reserved.****ARTICLE XXV. TWO-FAMILY DWELLING  
R-2U DISTRICTS****Sec. 39-430. Purpose of district.**

The R-2U, two-family dwelling district, is intended to apply to areas to be used for the construction of dwellings containing two (2) dwelling units, which are designed, arranged and constructed for the ownership of each dwelling unit by a separate and different owner. (Amend. Zoning Regs., § 23.1, 7-17-73)

**Sec. 39-431. 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:

- (1) Any use permitted in an R-2 district, subject to all limitations and requirements specified in this chapter for such use in that district.
- (2) Two-family dwellings which are designed, arranged and constructed for the ownership of each dwelling unit by a separate and different owner.
- (3) 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. (Amend. Zoning Regs., § 23.2, 7-17-73)

**Sec. 39-432. Size of plot—Dwellings.**

Every plot upon which a residential structure is erected shall be not less than sixty (60) feet in width and six thousand (6,000) square feet in area; provided that each unit of a two-family dwelling may be located on a lot not less than thirty (30) feet in width and three thousand (3,000) square feet in area, except that a portion of a common party wall separating two (2) such one-family dwelling units may be located on the adjoining lot. (Amend. Zoning Regs., § 23.3, 7-17-73)

**Sec. 39-433. Plot coverage.**

The combined area covered by all main and accessory buildings and roofed structures shall not exceed forty (40) per cent of the area of the plot. (Amend. Zoning Regs., § 23.4, 7-17-73)

**Sec. 39-434. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding two (2) stories or thirty (30) feet, except that a steeple or tower on a church may extend to a height of fifty (50) feet. (Amend. Zoning Regs., § 23.5, 7-17-73)

**Sec. 39-435. Front yard.**

(a) *Residential uses.* Every plot used for dwelling purposes shall have a front yard not less than twenty-five (25) feet in depth.

(b) *Non-residential uses.* Every plot whose principal use is non-residential shall have a front yard not less than thirty (30) feet in depth. (Amend. Zoning Regs., § 23.6, 7-17-73)

#### **Sec. 39-436. Side yards.**

(a) *Residential uses.* Every plot used for dwelling purposes shall have a side yard on each side, each of which shall be at least seven and one-half (7½) feet in width, provided that where a two-family dwelling is erected on two (2) platted lots with a dividing party wall centered on the common lot line between the two (2) platted lots, a side yard shall not be required adjacent to and on either side of said common lot line.

(b) *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 twenty (20) feet in width, with an increase of one (1) foot in width of each side yard for each two (2) feet in height of the structure in excess of twenty (20) feet.

(c) *Corner plots.* Upon corner plots there shall be a front yard as hereinbefore specified and also a side yard at least fifteen (15) feet in width on the side of the plot abutting on the side street. (Amend. Zoning Regs., § 23.7, 7-17-73)

#### **Sec. 39-437. Rear yard.**

(a) *Residential uses.* Every plot whose principal use is residential shall have a rear yard not less than fifteen (15) feet in depth.

(b) *Non-residential uses.* Every plot whose principal use is non-residential shall have a rear yard not less than twenty-five (25) feet in depth. (Amend. Zoning Regs., § 23.8, 7-17-73)

#### **Sec. 39-438. Minimum floor area.**

The minimum floor area of a one-family dwelling in a separate detached building shall be six hundred (600) square feet. The minimum floor area of a dwelling unit in a two-family dwelling shall be four hundred (400) square feet. (Amend. Zoning Regs., § 23.9, 7-17-73)

**Sec. 39-439. Limitations and special requirements.**

Property to be zoned in an R-2U district shall be platted under a subdivision plat of record, into lots of such size as will meet the minimum requirements for sites for individual units of a two-family dwelling for ownership by separate and different owners. (Amend. Zoning Regs., § 23.10, 7-17-73)

**Secs. 39-440—39-449. Reserved.**

**ARTICLE XXVI. LOW DENSITY MULTIPLE  
R-3 DISTRICT****Sec. 39-450. 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 (1) or more of the following specified uses:

- (1) Any use permitted in an R-1A, R-1B, R-1C or R-2 district, subject to the limitations, requirements and procedure specified for such use.
- (2) Multiple dwellings.
- (3) Private office for a doctor or dentist accessory to a dwelling provided such office does not exceed twenty-five (25) per cent of the floor space of a dwelling unit occupied by such doctor or dentist and not more than one doctor or dentist practices in such office.
- (4) Nursery school or child care center when building is located not less than twenty (20) feet from any other plot in an R district, provided that there is established, maintained and used for the children at play in connection therewith one (1) or more completely and securely fenced play lots which if closer than fifty (50) feet to any property line, shall be screened by a masonry wall or compact evergreen hedge not less than five (5) feet in height, located not less than twenty (20) feet from any other plot in an R district.

- (5) Rooming house with not more than four (4) rooms for rent.
- (6) Public, private or parochial: Elementary, junior and senior high schools. Private and parochial schools shall offer curricula substantially equivalent to public schools of comparable grades and shall meet the academic requirements of the State Department of Education.
- (7) Open parking lots for the parking of private passenger vehicles, subject to all the provisions of section 39-459, open parking lots.
- (8) Uses accessory to and of the above uses not involving the conduct of any business, trade, occupation or profession, including a distributor transformer station for direct service to customers. (Amend. Zoning Regs., § 24.1, 7-17-73)

#### **Sec. 39-451. Size of plot.**

(a) *Dwellings.* Every plot upon which a dwelling is erected shall not be less than sixty (60) feet in width at the building line and six thousand (6,000) square feet in area, provided that a plot consisting of a single lot of record on the effective date of the zoning of the subject property which is less than sixty (60) feet in width and six thousand (6,000) square feet in area, may be improved with a one- or two-family dwelling.

(b) *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 one hundred (100) feet in width, and ten thousand (10,000) square feet in area. (Amend. Zoning Regs., § 24.2, 7-17-73)

#### **Sec. 39-452. Plot coverage.**

The combined area occupied by all main and accessory buildings and structures shall not exceed forty (40) per cent

of the area of the plot for two-story buildings or fifty (50) per cent for one-story buildings. (Amend. Zoning Regs., § 24.3, 7-17-73)

**Sec. 39-453. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding either two (2) stories or thirty-five (35) feet, except that a steeple or tower on a church may extend to a height of fifty (50) feet. (Amend. Zoning Regs., § 24.4, 7-17-73)

**Sec. 39-454. Front yard.**

(a) *Residential uses.* Every plot used for dwelling purposes shall have a front yard not less than twenty-five (25) feet in depth.

(b) *Non-residential uses.* Every plot whose principal use in non-residential shall have a front yard not less than thirty (30) feet in depth. (Amend. Zoning Regs., § 24.5, 7-17-73)

**Sec. 39-455. Side yards.**

(a) *Residential uses.* Every plot used for dwelling purposes shall have a side yard on each side, each of which shall be at least seven and one-half (7½) feet in width for a one-family or a two-family dwelling and at least ten (10) feet in width for other residential uses, except that on a plot less than sixty (60) feet in width which is utilized for a one-family or two-family dwelling, each side yard shall be at least five (5) feet in width.

(b) *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 twenty-five (25) feet in width with an increase of one (1) foot in width for each two (2) feet in height of the structure in excess of twenty (20) feet.

(c) *Corner plots.* Upon corner plots there shall be a front yard as hereinbefore specified, and also a side yard at least fifteen (15) feet in width on the side of the plot abutting on a side street. (Amend. Zoning Regs., § 24.6, 7-17-73)

**Sec. 39-456. Rear yard.**

(a) *Residential uses.* Every plot whose principal use is residential shall have a rear yard not less than fifteen (15) feet in depth, except that a rear yard abutting upon a waterway shall be at least twenty-five (25) feet in depth.

(b) *Non-residential uses.* Every plot whose principal use is non-residential shall have a rear yard not less than twenty-five (25) feet in depth. (Amend. Zoning Regs., § 24.7, 7-17-73)

**Sec. 39-457. Plot area per room.**

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

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

(Amend. Zoning Regs., § 24.8, 7-17-73)

**Sec. 39-458. Minimum floor area.**

The minimum floor area of a one-family dwelling shall be six hundred (600) square feet, the minimum floor area of a dwelling unit in a two-family dwelling shall be four hundred (400) square feet, and the minimum floor area of a dwelling unit in a multiple dwelling shall be four hundred (400) square feet. (Amend. Zoning Regs., § 24.9, 7-17-73)

**Sec. 39-459. Open parking lots.**

Open parking lots for parking of private, self-propelled passenger vehicles, not including buses, as permitted under section 39-450(7) shall be arranged, maintained and used in accordance with the following:

- (1) The plot shall provide a front yard not less than twenty-five (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 ten (10) feet in width.
- (3) An ornamental fence or wall four (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 two (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.
- (8) No business of any kind, including repair, service, washing, sale, display or storage shall be conducted on or from the plot. (Amend. Zoning Regs., § 24.10, 7-17-73)

**Secs. 39-460—39-469. Reserved.**

## **ARTICLE XXVII. APARTMENT R-4 DISTRICT**

### **Sec. 39-470. 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 (1) 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. (Amend. Zoning Regs., § 25.1, 7-17-73)

### Sec. 39-471. Size of plot.

(a) *Residential uses.* Every plot upon which a dwelling is erected shall not be less than one hundred (100) feet in width at the building line and ten thousand (10,000) square feet in area, provided that a plot consisting of a single lot of record on the effective date of the zoning of the subject property which is less than one hundred (100) feet in width and ten thousand (10,000) square feet in area, may be improved with a one- or two-family dwelling.

(b) *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 one hundred (100) feet in width and ten thousand (10,000) square feet in area. (Amend. Zoning Regs., § 25.2, 7-17-73)

### Sec. 39-472. 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:

<i>Height</i>	<i>Per cent</i>
One story	55
Two story	55
Three story	50
Four story	50

Five story	45
Six story	45
Seven story	40
Eight story	40
(Amend. Zoning Regs., § 25.3, 7-17-73)	

**Sec. 39-473. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding eight (8) stories or one hundred (100) feet. (Amend. Zoning Regs., § 25.4, 7-17-73)

**Sec. 39-474. Front yard.**

(a) *Residential uses.* Every plot used for dwelling purposes shall have a front yard not less than twenty-five (25) feet in depth, unless a greater depth is required under Article V, yard space districts.

(b) *Non-residential uses.* Every plot whose principal use is non-residential shall have a front yard not less than thirty (30) feet in depth, unless a greater depth is required under Article V, yard space districts. (Amend. Zoning Regs., § 25.5, 7-17-73)

**Sec. 39-475. Side yards.**

(a) *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 39-404.

(b) *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 ten (10) feet in width, provided that the above required width of side yard shall be increased by one and one-fourth (1¼) feet for each ten (10) feet by which the height of building exceeds twenty-two (22) feet, unless a greater width of the yard is required under Article V, yard space districts.

(c) *Non-residential uses.* Every plot whose principal use is non-residential shall provide a side yard on each side, each of which shall be at least twenty-five (25) feet in width with an increase of one (1) foot in width for each two (2) feet in

height of the structure in excess of twenty (20) feet, unless a greater width of yard is required under Article V, yard space districts.

(d) *Corner plots.* Upon corner plots there shall be a front yard as hereinbefore specified, and also a side yard at least fifteen (15) feet in width on the side of the plot, abutting on the side street, unless a greater width is required under subsections (a), (b) and (c), above or by Article V, yard space districts. (Amend. Zoning Regs., § 25.6, 7-17-73)

#### **Sec. 39-476. Rear yard.**

(a) *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 fifteen (15) feet in depth, except that a rear yard abutting on a waterway shall be at least twenty-five (25) feet in depth.

(b) *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 twenty (20) feet in depth, plus an increase in depth of two (2) feet for every ten (10) feet in height of building or structure in excess of forty-four (44) feet. (Amend. Zoning Regs., § 25.7, 7-17-73)

#### **Sec. 39-477. Plot area per room.**

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

<i>Size of dwelling unit</i>	<i>Square feet of plot area</i>
One room	550
Two rooms	400
Three rooms	300
Four rooms	300
Each additional room	275

(Amend. Zoning Regs., § 25.8, 7-17-73)

#### **Sec. 39-478. Minimum floor area.**

The minimum floor area of a one-family dwelling shall be six hundred (600) square feet, the minimum floor area of a

dwelling unit in a two-family dwelling shall be four hundred (400) square feet and the minimum floor area of a dwelling unit in a multiple dwelling shall be four hundred (400) square feet. (Amend. Zoning Regs., § 25.9, 7-17-73)

**Secs. 39-479—39-488. Reserved.**

## **ARTICLE XXVIII. PLANNED APARTMENT R-4A DISTRICT**

### **Sec. 39-489. 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 (1) or more of the following specified uses:

- (1) Any use permitted in an R-4 district. (Amend. Zoning Regs., § 26.1, 7-17-73)

### **Sec. 39-490. Size of plot.**

Every plot shall be not less than one (1) acre in area. (Amend. Zoning Regs., § 26.2, 7-17-73)

### **Sec. 39-491. Height.**

No building or structure, or part thereof, shall be erected, or altered to a height exceeding eight (8) stories or one hundred (100) feet. (Amend. Zoning Regs., § 26.3, 7-17-73)

### **Sec. 39-492. Plot coverage.**

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

<i>Height</i>	<i>Per cent</i>
One story	35
Two story	30

Three story	30
Four story	29
Five story	27
Six story	25
Seven story	23
Eight story	21
(Amend. Zoning Regs., § 26.4, 7-17-73)	

#### **Sec. 39-493. Street yards.**

(a) Where a street separates the plot from residentially zoned property, there shall be a street yard on the plot adjacent to such street not less than fifty (50) feet in width or depth.

(b) Where a street separates the plot from non-residentially zoned property, there shall be a street yard on the plot adjacent to such street not less than twenty-five (25) feet in width or depth. (Amend. Zoning Regs., § 26.5, 7-17-73)

#### **Sec. 39-494. Side yards.**

Every plot shall have a side yard on each side, each of which shall be at least twenty (20) feet in width with an increase of one (1) foot in width for each two (2) feet in height of the structure in excess of twenty (20) feet. (Amend. Zoning Regs., § 26.6, 7-17-73)

#### **Sec. 39-495. Rear yard.**

Every plot shall have a rear yard not less than twenty (20) feet in depth with an increase of one (1) foot in depth for each two (2) feet in height of the structure in excess of twenty (20) feet. (Amend. Zoning Regs., § 26.7, 7-17-73)

#### **Sec. 39-496. Plot area per room.**

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

<i>Size of dwelling unit</i>	<i>Square feet of plot area</i>
One room	700
Two rooms	500

Three rooms	400
Four rooms	350
Each additional room over four rooms	300
(Amend. Zoning Regs., § 26.8, 7-17-73)	

**Sec. 39-497. Minimum floor area.**

The minimum floor area of a one-family dwelling shall be one thousand (1,000) square feet, the minimum floor area of a dwelling unit in a two-family dwelling shall be six hundred (600) square feet, and the minimum floor area of a dwelling unit in a multiple dwelling shall be four hundred (400) square feet. (Amend. Zoning Regs., § 26.9, 7-17-73)

**Sec. 39-498. Special yard.**

Notwithstanding any other provision of this chapter, the following requirements shall apply on all plots in R-4A districts:

- (1) No part of any street yard within twenty-five (25) feet of any street yard shall be used for parking.
- (2) No fence or hedge over two (2) feet in height shall be located within twenty-five (25) feet of any street line.
- (3) No accessory building or roofed structure shall be located in any required street yard.
- (4) No accessory building or roofed structure shall be located within twenty-five (25) feet of any side or rear plot line. (Amend. Zoning Regs., § 26.10, 7-17-73)

**Sec. 39-499. Site development plan.**

(a) No building or structure shall be erected or altered, or land or water used, or any change of use consummated, nor shall any building permit be issued therefor, unless and until a site development plan for such building, structure and/or use shall have been checked by the enforcing official and by the Broward County Building, Planning and Zoning Department for conformity with this chapter.

(b) The site development plan shall include in proper form, detail, dimension and scale, the following:

- (1) The location, character, size and height of all buildings, structures and uses of the plot, including walls or fences.
- (2)\* Location, character and enclosure of all outside facilities for waste storage and disposal.
- (3) All curb cuts, driveways, parking areas, loading areas.
- (4) All pedestrian walkways, walls, yards and landscaping.
- (5) Location, size, character, height and orientation of all signs other than flat or marquee signs.
- (6) Landscaping.

(c) The site development plan shall conform to all applicable provisions of this chapter and shall in addition thereto provide such a design and arrangement of pertinent features and elements of the development and use of the plot as to:

- (1) Protect and minimize any undesirable effects upon contiguous and nearby residential property.
- (2) Provide sufficient off-street parking and loading facilities so that use of streets in the vicinity for this purpose will not be unavoidable.
- (3) Provide sufficient setbacks and yard spaces adjacent to streets and to residentially zoned property, with adequate landscaping in such yard and setback areas, in order to protect the appearance and character of the neighborhood.
- (4) Provide sufficient walls, fences, enclosures and/or hedges to prevent or minimize effects of noise, glare, odors, smoke, soot, upon surrounding residential property. (Amend. Zoning Regs., § 26.11, 7-17-73)

#### **Sec. 39-500. Maintenance.**

(a) All setback areas, yards, walkways, driveways, and parking areas shall be maintained and kept in a neat and clean condition, free of refuse and debris.

(b) All landscaped areas shall be maintained in a live, healthy, and growing condition, properly watered and trimmed. Any planting of grass, shrubs or trees which becomes dead or badly damaged shall be replaced with similar sound, healthy plant materials. (Amend. Zoning Regs., § 26.12, 7-17-73)

**Secs. 39-501—39-510. Reserved.**

## **ARTICLE XXIX. MOTEL R-5 DISTRICT**

### **Sec. 39-511. Uses permitted.**

(a) Any use permitted in an R-4 district, subject to the limitations, requirements and procedure prescribed for such use.

(b) Hotel, motel, tourist home, lodging house, boarding house, villas, bungalow court.

(c) Private club, lodge, fraternity, sorority and other similar uses, not operated for profit.

(d) Institutions of an educational, philanthropic or eleemosynary character, not operated for profit, other than penal or correctional institutions or vocational or trade schools.

(e) Medical or dental, office or clinic.

(f) 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.

(g) Accessory uses and structures, not involving a business, except as provided in section 39-512. (Amend. Zoning Regs., § 27.1, 7-17-73)

### **Sec. 39-512. Special accessory uses.**

(a) Hotels, apartment hotels and motels having fifty (50) or more units may have restaurants, nightclubs, 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.

(b) Hotels, apartment hotels, multiple dwellings and motels having one hundred (100) or more guest rooms may have retail stores, personal service shops, offices and similar uses for the convenience of their guests.

(c) The special accessory uses permitted under subsections (a) and (b) above shall be subject to the following limitations and requirements:

- (1) 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.
- (2) For each street front, one sign not to exceed fifteen (15) square feet in area shall be allowed for each one hundred (100) feet of street frontage or fraction thereof, but in no case shall the total of such signs exceed two (2) 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.
- (3) 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.
- (4) 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. (Amend. Zoning Regs., § 27.2, 7-17-73)

#### **Sec. 39-513. Size of plot.**

Every plot shall be not less than one hundred (100) feet in width and ten thousand (10,000) square feet in area,

provided that a plot consisting of a single lot of record on the effective date of this chapter, not less than fifty (50) feet in width, may be utilized for a one-family dwelling. (Amend. Zoning Regs., § 27.3, 7-17-73)

**Sec. 39-514. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding three (3) stories or fifty (50) feet. (Amend. Zoning Regs., § 27.4, 7-17-73)

**Sec. 39-515. 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:

<i>Height</i>	<i>Per cent</i>
One story	55
Two story	55
Three story	50

(Amend. Zoning Regs., § 27.5, 7-17-73)

**Sec. 39-516. Plot area per room.**

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

<i>Size of dwelling unit</i>	<i>Square feet of plot area</i>
One room	450
Two rooms	275
Three rooms	200
Four rooms	175
Each additional room	100

(Amend. Zoning Regs., § 27.6, 7-17-73)

**Sec. 39-517. Front yard.**

Every plot shall have a front yard not less than twenty-five (25) feet, unless a greater depth is required under Article V, yard space districts. (Amend. Zoning Regs., § 27.7, 7-17-73)

**Sec. 39-518. Side yards.**

(a) *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 39-404.

(b) *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 ten (10) feet in width, provided that the above required width of side yard shall be increased by two (2) feet for each ten (10) feet, or major fraction thereof, by which the height of the building exceeds twenty-two (22) feet.

(c) *Corner plots.* Upon corner plots there shall be a front yard as hereinbefore specified, and a side yard on the side street at least fifteen (15) feet in width, unless a greater width is required under Article V, yard space districts. (Amend. Zoning Regs., § 27.8, 7-17-73)

**Sec. 39-519. Rear yard.**

Every plot shall have a rear yard not less than twenty-five (25) feet in depth. (Amend. Zoning Regs., § 27.9, 7-17-73)

**Sec. 39-520. Minimum floor area.**

The minimum floor area of a one-family dwelling shall be six hundred (600) square feet, the minimum floor area of a dwelling unit in a two-family dwelling shall be four hundred (400) square feet, the minimum floor area of a dwelling unit in a multiple dwelling shall be four hundred (400) 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 one hundred fifty (150) square feet. (Amend. Zoning Regs., § 27.10, 7-17-73)

**Secs. 39-521—39-530. Reserved.**

# ARTICLE XXX. HOTEL R-6 DISTRICT

## Sec. 39-531. 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 (1) 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. (Amend. Zoning Regs., § 28.1, 7-17-73)

## Sec. 39-532. Size of plot.

Every plot shall be not less than one hundred (100) feet in width and ten thousand (10,000) square feet in area, provided that a plot consisting of a single lot of record on the effective date of this chapter not less than fifty (50) feet in width may be utilized for a one-family dwelling. (Amend. Zoning Regs., § 28.2, 7-17-73)

## Sec. 39-533. Height.

No building or structure, or part thereof, shall be erected or altered to a height exceeding fifteen (15) stories or one hundred fifty (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 (3) stories or thirty-five (35) feet. (Amend. Zoning Regs., § 28.3, 7-17-73)

## Sec. 39-534. 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:

<i>Height</i>	<i>Per cent</i>
One story	55
Two story	55
Three story	50
Four story	50

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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

(Amend. Zoning Regs., § 28.4, 7-17-73)

**Sec. 39-535. Plot area per room.**

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

<i>Size of dwelling unit</i>	<i>Square feet of plot area</i>
One room	450
Two rooms	275
Three rooms	200
Four rooms	175
Each additional room	150

(Amend. Zoning Regs., § 28.5, 7-17-73)

**Sec. 39-536. Front yard.**

Every plot shall have a front yard not less than twenty-five (25) feet in depth, provided that where the building exceeds one hundred (100) feet in height, the depth of the front yard shall be increased by two and one-half (2½) feet for each ten (10) feet, or major fraction thereof, by which the height of the building exceeds one hundred (100) feet. A greater depth of front yard shall be provided where required under Article V, yard space districts. (Amend. Zoning Regs., § 28.6, 7-17-73)

**Sec. 39-537. Side yards.**

(a) *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 39-404.

(b) *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 side yard shall be increased by two (2) feet for each ten (10) feet, or major fraction thereof, by which the height of the building exceeds twenty-two (22) feet.

(c) *Corner plots.* Upon corner plots there shall be a front yard as hereinbefore specified, and a side yard at least fifteen (15) feet in width, unless a greater width is required under subsection (b) above or under Article V, yard space districts. (Amend. Zoning Regs., § 28.7, 7-17-73)

#### **Sec. 39-538. Rear yard.**

Every plot shall have a rear yard not less than twenty (20) feet in depth, which shall be increased by two (2) feet for each ten (10) feet or major fraction thereof by which the height of the building exceeds forty-four (44) feet. (Amend. Zoning Regs., § 28.8, 7-17-73)

#### **Sec. 39-539. Minimum floor area.**

The minimum floor area of a one-family dwelling shall be six hundred (600) square feet, the minimum floor area of a dwelling unit in a two-family dwelling shall be four hundred (400) square feet, the minimum floor area of a dwelling unit in a multiple dwelling shall be four hundred (400) 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 one hundred fifty (150) square feet. (Amend. Zoning Regs., § 28.9, 7-17-73)

#### **Secs. 39-540—39-549. Reserved.**

### **ARTICLE XXXI. TRAILER PARK T-1 DISTRICT**

#### **Sec. 39-550. Purpose of district.**

The T-1, mobile home park district, is intended to apply to areas to be used for the parking or placement of mobile

homes and travel trailers for occupancy as living quarters, wherein the park is owned or operated as a unit and individual spaces are occupied on a rental basis. (Amend. Zoning Regs., § 29.1, 7-17-73)

**Sec. 39-551. 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 (1) or more of the following specified uses:

- (1) Mobile home parks for rental of sites for occupancy by mobile homes and/or travel trailers as living quarters, wherein the mobile home 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 39-552 below.
- (3) The sale, by its owner or licensed dealer, of used mobile homes or travel trailers on sites presently or previously occupied by the owner of such mobile home or travel trailer. The sale of the new display models by licensed dealers preparatory to occupancy on that site.
- (4) Storage or parking of mobile homes or travel trailers on sites preparatory to occupancy or between periods of occupancy. (Amend. Zoning Regs., § 29.2, 7-17-73)

**Sec. 39-552. Special accessory uses.**

A mobile home park providing space for forty (40) or more mobile homes or travel trailers may have retail stores and personal service shops for the care or treatment of the 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 mobile home park and not normally made available to other persons. (Amend. Zoning Regs., § 29.3, 7-17-73)

**Sec. 39-553. Prohibited uses.**

The permissible uses enumerated in sections 39-551 and 39-552 shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

- (1) Display or sale of used mobile homes or travel trailers, except an occupied mobile home, or an unoccupied mobile home or travel trailer previously occupied on the same site, may be sold on that site by its owner or licensed dealer.
- (2) Any service station, service or repair garage.
- (3) No secondhand or used merchandise shall be offered for sale, displayed or stored on the premises except as incidental to the bona fide sale of a mobile home or travel trailer.
- (4) No animals, reptiles, insects, poultry or fowl, shall be raised or kept in any mobile home park, except where a park has special facilities to take care of not more than one (1) domestic animal per mobile home or travel trailer.
- (5) Dwelling units or living quarters except in a mobile home or travel trailer or as an accessory use.
- (6) Occupancy of a site by a mobile home or travel trailer for living quarters except on a rental basis.
- (7) A separate utility building on any mobile home site, except for a demountable, code-approved storage closet.
- (8) No cooking or sanitary facilities shall be installed or maintained on any mobile home or travel trailer site in any building or structure other than in the mobile home or travel trailer.

- (9) Storage or parking of mobile homes or travel trailers except when a mobile home or travel trailer is located on a site preparatory to occupancy or between periods of occupancy. (Amend. Zoning Regs., § 29.4, 7-17-73)

#### **Sec. 39-554. Plot size.**

Every plot shall not be less than one hundred (100) feet in width and one-half acre in area. The required one hundred-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 fifty (50) feet in width. (Amend. Zoning Regs., § 29.5, 7-17-73)

#### **Sec. 39-555. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding two (2) stories or thirty (30) feet. (Amend. Zoning Regs., § 29.6, 7-17-73)

#### **Sec. 39-556. Minimum site requirements.**

(a) A mobile home consisting of one (1) or more units designed as a single dwelling shall be placed upon a site not less than two thousand four hundred (2,400) square feet in area and not less than forty (40) feet in average width.

(b) A travel trailer shall be placed upon a site not less than one thousand (1,000) square feet in area and not less than thirty (30) feet in average width. (Amend. Zoning Regs., § 29.7, 7-17-73)

#### **Sec. 39-557. Yards.**

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

- (1) *Front yard.* Every plot shall have a front yard not less than twenty-five (25) feet in depth, and this minimum depth of yard shall be provided on all streets upon which the plot abuts.
- (2) *Side yards.* Each side of every plot shall have a side yard not less than ten (10) feet in width.

- (3) *Rear yard.* Every plot shall have a rear yard not less than fifteen (15) feet in depth.
- (4) No accessory building or structure shall be placed in any required yard space. (Amend. Zoning Regs., § 29.8, 7-17-73)

**Sec. 39-558. Separation.**

No part of any mobile home or travel trailer, or any addition or appurtenance thereto shall be placed within ten (10) feet of any other mobile home or travel trailer, addition or appurtenance thereto. No part of any mobile home or travel trailer or addition or appurtenance thereto shall be located within twenty-five (25) feet of any accessory or service building or structure used in connection with a mobile home park. (Amend. Zoning Regs., § 29.9, 7-17-73)

**Sec. 39-559. Access to sites.**

Each site shall abut upon a driveway or unobstructed space, not less than thirty (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 twenty (20) feet in width and shall be adequately lighted. (Amend. Zoning Regs., § 29.10, 7-17-73)

**Sec. 39-560. Porches and additions.**

(a) Structures of a permanent nature shall not be added or attached to a mobile home or travel trailer unless such mobile home or travel trailer is placed upon a site conforming to the minimum requirements for a mobile home.

(b) On travel trailer sites there shall be no addition or attachment except a demountable canvas awning.

(c) Structures of a permanent nature added or attached to a mobile home or travel trailer such as enclosed porches, screened enclosures, storage closets and carports shall conform to all applicable provisions of the Broward County Building Code. The total combined area of all such additions or attachments shall not exceed the gross area of the mobile

home or travel trailer itself. Carports not included in the above limitation of area, if the width of site is adequate for separation requirements.

(d) All portable or demountable awnings, roofs or appurtenances which do not meet the requirements of subsection (c) above shall be dismantled and stored either within the mobile home or travel trailer or in some permanent building during the following circumstances:

- (1) Within one (1) hour after all hurricane alerts by the U.S. Weather Bureau.
- (2) If the mobile home or travel trailer is not to be occupied for a period of thirty (30) days or more. (Amend. Zoning Regs., § 29.11, 7-17-73)

#### **Sec. 39-561. Health and sanitation.**

(a) *Water supply.* Fresh water supply shall be available to each mobile home site and within one hundred (100) feet of every dependent travel trailer site.

(b) *Toilets.* No dependent travel trailer site shall be more than two hundred (200) feet from approved toilet facilities.

(c) *Garbage removal.* Provisions shall be made for the semiweekly removal of all garbage, trash and refuse from the mobile home park.

(d) *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.

(e) The sanitary regulations of the state and county shall be complied with as to all fixtures installed or maintained. Mobile home parks shall provide at least one (1) septic tank of one thousand eight hundred (1,800) gallons capacity, which shall be increased as required by the county health department regulations if more than twenty (20) trailers are accommodated. (Amend. Zoning Regs., § 29.12, 7-17-73)

#### **Secs. 39-562—39-571. Reserved.**

## ARTICLE XXXII. ROW HOUSE R-3U DISTRICTS

### Sec. 39-572. Purpose of district.

The R-3U, row house district, is intended to apply to areas to be used for the construction of dwellings containing three (3) or more dwelling units, which are designed, arranged and constructed for the ownership of each dwelling unit and the land thereunder by a separate and different owner. (Amend. Zoning Regs., § 30.1, 7-17-73)

### Sec. 39-573. 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:

- (1) Any use permitted in an R-2U district, subject to all limitations and requirements specified in this chapter for such use in that district.
- (2) Multiple dwellings which are designed, arranged and constructed for the ownership of each dwelling unit and the land thereunder by a separate and different owner.
- (3) 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. (Amend. Zoning Regs., § 30.2, 7-17-73)

### Sec. 39-574. Size of plot.

(a) *Dwellings.* Every plot upon which a residential structure is erected shall be not less than sixty (60) feet in width and six thousand (6,000) square feet in area, provided that each dwelling unit of a multiple-family dwelling may be located on a lot not less than twenty (20) feet in width and one hundred (100) feet in depth, except that a portion of a common party wall separating two (2) such separate dwelling units may be located on an adjoining lot.

(b) *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 one hundred (100) feet in width and ten thousand (10,000) square feet in area. (Amend. Zoning Regs., § 30.3, 7-17-73)

#### **Sec. 39-575. Plot coverage.**

The combined area covered by all main and accessory buildings and roofed structures shall not exceed forty (40) per cent of the area of the plot. (Amend. Zoning Regs., § 30.4, 7-17-73)

#### **Sec. 39-576. Height.**

No building or structure, or part thereof shall be erected or altered to a height exceeding two (2) stories or thirty (30) feet, except that a steeple or tower on a church may extend to a height of fifty (50) feet. (Amend. Zoning Regs., § 30.5, 7-17-73)

#### **Sec. 39-577. Front yard.**

(a) *Residential uses.* Every plot used for dwelling purposes shall have a front yard not less than twenty-five (25) feet in depth.

(b) *Non-residential uses.* Every plot whose principal use is non-residential shall have a front yard not less than thirty (30) feet in depth. (Amend. Zoning Regs., § 30.6, 7-17-73)

#### **Sec. 39-578. Side yards.**

(a) *Residential uses.* Every plot used for a one-family or a two-family dwelling shall have a side yard on each side, each of which shall be at least seven and one-half (7½) feet in width. Every plot used for a multiple dwelling shall have a side yard on each side, each of which shall be at least ten (10) feet in width provided that where a multiple dwelling in the form of a row house is erected on three (3) or more platted lots with the dividing party walls between separate dwelling units centered on the common lot line between two (2) platted lots, a side yard shall not be required adjacent to and on either side of said common lot line.

(b) *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 twenty (20) feet in width, with an increase of one (1) foot in width of each side yard for each two (2) feet in height of the structure in excess of twenty (20) feet.

(c) *Corner plots.* Upon corner plots there shall be a front yard as hereinbefore specified and also a side yard at least fifteen (15) feet in width on the side of the plot abutting on the side street. (Amend. Zoning Regs., § 30.7, 7-17-73)

**Sec. 39-579. Rear yard.**

(a) *Residential uses.* Every plot whose principal use is residential shall have a rear yard not less than fifteen (15) feet in depth.

(b) *Non-residential uses.* Every plot whose principal use is non-residential shall have a rear yard not less than twenty-five (25) feet in depth. (Amend. Zoning Regs., § 30.8, 7-17-73)

**Sec. 39-580. Minimum floor area.**

The minimum floor area of a one-family dwelling in a separate detached building shall be six hundred (600) square feet. The minimum floor area of a dwelling unit in a two-family dwelling shall be four hundred (400) square feet. The minimum floor area of a dwelling unit in a multiple dwelling shall be six hundred (600) square feet. (Amend. Zoning Regs., § 30.9, 7-17-73)

**Sec. 39-581. Limitations and special requirements.**

(a) Property to be zoned in an R-3U district shall be platted under a subdivision plat of record, into lots of such size as will meet the minimum requirements for sites for individual units of a multiple dwelling for ownership by separate and different owners.

(b) The party walls, which separate and define the individual dwellings of a multiple dwelling, shall be centered on the dividing lot lines of the recorded subdivision plat required under subsection (a) above.

(c) No multiple dwelling designed for sale of individual dwelling units to separate and different owners shall exceed two hundred (200) feet in length. (Amend. Zoning Regs., § 30.10) 7-17-73)

**Secs. 39-582—39-591. Reserved.**

## **ARTICLE XXXIII. RECREATIONAL S-1 DISTRICT**

### **Sec. 39-592. 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 must be adequate for any location at which an S-1 district may be established. (Amend. Zoning Regs., § 31.1, 7-17-73)

### **Sec. 39-593. 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 (1) or more of the following specified uses, subject to the procedure specified in section 39-595 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) Social, athletic, neighborhood or community club
- (23) Accessory uses
- (24) Tent camps. (Amend. Zoning Regs., § 31.2, 7-17-73)

**Sec. 39-594. Uses prohibited.**

The permissible uses enumerated in section 39-553 above shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

- (1) Any business or commercial use not permitted as a principal use, except when meeting requirements of an accessory use.
- (2) Any industrial or manufacturing use.
- (3) Drive-in theater, drive-in restaurant or drive-in refreshment stand. (Amend. Zoning Regs., § 31.3, 7-17-73)

**Sec. 39-595. Site development plan.**

The site development plan for a plot in an S-1 district shall provide for such an arrangement and location of uses and facilities on the plot as to give maximum possible separation from, and protection to, contiguous and nearby residential property. Where the nature of the activities or

facilities on the plot present any potential hazard or detriment to contiguous residential properties from noise, glare, odors, smoke, vibration, flying objects or traffic, protection to such contiguous residential properties shall be provided in the form of open space, fences, walls, hedges, enclosures and/or by such other means as may be appropriate and effective to prevent or minimize such hazards. (Amend. Zoning Regs., § 31.4, 7-17-73)

#### **Sec. 39-596. Landscaping.**

All required yards and open spaces adjacent to streets and contiguous to residential property shall be planted and properly maintained with suitable planting in form of grass, shrubs, hedges and trees to present an attractive appearance appropriate to the neighborhood. (Amend. Zoning Regs., § 31.5, 7-17-73)

#### **Sec. 39-597. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding fifty (50) feet. (Amend. Zoning Regs., § 31.6, 7-17-73)

#### **Sec. 39-598. Plot size.**

Every plot shall be not less than one hundred (100) feet in width and ten thousand (10,000) square feet in area. (Amend. Zoning Regs., § 31.7, 7-17-73)

#### **Sec. 39-599. Yards.**

(a) No parking area shall be located within ten (10) feet of any residentially zoned property nor within twenty-five (25) feet of any street line.

(b) No structure, except fences or walls as hereinafter provided, shall be located within twenty (20) feet of any residentially zoned property nor within twenty-five (25) feet of any street line.

(c) No building or roofed portion of any structure shall be located within twenty-five (25) feet of any plot line.

(d) No required open space, yard or setback area shall be used or developed for any purpose other than by landscaping and by the minimum amount of walkways and/or driveways reasonably necessary to serve the permitted S-1 uses. (Amend. Zoning Regs., § 31.8, 7-17-73)

#### **Sec. 39-600. Fences.**

(a) No fence or wall shall be erected within twenty-five (25) feet of any street line.

(b) No fence or wall situated within ten (10) feet of any residentially zoned property shall exceed five (5) feet in height.

(c) No hedge or continuous planting exceeding two (2) feet in height shall be placed or maintained within twenty-five (25) feet of any street line.

(d) No hedge or continuous planting exceeding five (5) feet in height shall be placed or maintained within ten (10) feet of any residentially zoned property. (Amend. Zoning Regs., § 31.9, 7-17-73)

#### **Sec. 39-601. Requirements for tent camps.**

The use and development of property for tent camps as permitted under section 39-593(24) shall be subject to the following requirements, limitations and conditions in addition to all other provisions of this article:

- (1) *Definitions.* Tent camp shall be defined as a place where sites are rented for placement and use of tents and/or tent trailers, for temporary, transitory occupancy as sleeping and living quarters. Tent camp includes necessary sanitary facilities and permitted accessory uses.
- (2) *Plot size.* Every plot used for a tent camp shall be not less than five (5) acres in area and not less than three hundred (300) feet in any dimension.
- (3) *Site size.* Each rental site for tent use shall be not less than fifty (50) feet in width and fifty (50) feet in length.

- (4) *Site access.* Each tent site shall abut upon and be accessible from a driveway not less than thirty (30) feet in width and said driveway shall have surfaced roadway not less than twenty (20) feet in width.
- (5) *Sanitary facilities.* Each tent camp shall provide adequate sanitary facilities in a permanent building located not more than three hundred (300) feet from any tent site. Adequate sanitary facilities shall be not less than the following:
  - a. For males, two (2) urinals, two (2) water closets, two (2) showers and three (3) wash basins for each fifty (50) tent sites.
  - b. For females, three (3) water closets, three (3) wash basins and two (2) showers for each fifty (50) tent sites.
  - c. At least two (2) laundry tubs for each fifty (50) tent sites.
- (6) *Water supply.* Each tent camp shall have at least one (1) running water spigot for each ten (10) tent sites, and there shall be such a spigot not more than two hundred (200) feet from any tent site.
- (7) *Refuse.* A covered rubbish and garbage container of at least a ten (10) gallon capacity shall be provided for each tent site. Provisions shall be made by the operator of the camp for semiweekly removal of all refuse from the camp.
- (8) *Health department requirements.* The construction, operation and maintenance of a tent camp shall comply in all respects with the requirements of the Broward County Health Department.
- (9) *Structures prohibited.* Tent houses and other structures shall not be permitted on any tent site. (Amend. Zoning Regs., § 31.10, 7-17-73)

**Secs. 39-602—39-611. Reserved.**

## ARTICLE XXXIV. OPEN SPACE S-2 DISTRICT

### Sec. 39-612. Purpose of district.

The S-2, open space district, is intended to preserve areas designated or used for active or passive recreation and to preserve open space. (Amend. Zoning Regs., § 31.1A, 7-17-73)

### Sec. 39-613. 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 (1) or more of the following specified uses, subject to the procedure specified in section 39-615 following:

- (1) Bathing, beach or swimming pool
- (2) Boat ramp
- (3) Bridle, foot or bicycle path
- (4) A commons
- (5) Country club
- (6) Golf course
- (7) Open water areas
- (8) Picnic area
- (9) Accessory uses. (Amend. Zoning Regs., § 31.2A, 7-17-73)

### Sec. 39-614. Uses prohibited.

The permissible uses enumerated in section 39-613 above shall not be construed to include, either as a principal or accessory use any of the following which are listed for emphasis:

- (1) Any business or commercial use not permitted as a principal use, except when meeting requirements of an accessory use.
- (2) Any industrial or manufacturing use.
- (3) Drive-in theater, drive-in restaurant or drive-in refreshment stand.
- (4) Any residential use. (Amend. Zoning Regs., § 31.3A, 7-17-73)

**Sec. 39-615. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding two (2) stories or thirty (30) feet. (Amend. Zoning Regs., § 31.4A, 7-17-73)

**Sec. 39-616. Plot coverage.**

No more than two (2) per cent of the plot area shall be under roof. (Amend. Zoning Regs., § 31.5A, 7-17-73)

**Sec. 39-617. Plot size.**

There shall be no minimum plot size. (Amend. Zoning Regs., § 31.6A, 7-17-73)

**Secs. 39-618—39-627. Reserved.****ARTICLE XXXV. NEIGHBORHOOD BUSINESS  
B-1 DISTRICT****Sec. 39-628. 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. (Amend. Zoning Regs., § 32.1, 7-17-73)

**Sec. 39-629. Uses permitted.**

(a) 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.

(b) Bakery or delicatessen, provided all preparation of food is for retail sale on the premises, and the services of not more than six (6) persons are utilized in any such establishment.

(c) The following personal services: Barber, beauty parlor, hat cleaning and blocking, pressing and mending, shoe repair, shoeshine.

(d) 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.

(e) Self-service coin-operated dry-cleaning establishments, subject to the following limitations and requirements:

- (1) Service shall be rendered directly to customers who shall bring in and take away the articles to be cleaned.
- (2) The establishment shall not provide pick-up or delivery service.
- (3) The customers shall operate the machines provided to do their own dry cleaning.
- (4) The services of not more than three (3) persons shall be utilized in the operation of the establishment.
- (5) Not more than ten (10) individual cleaning units shall be used in any establishment, and the total combined rated capacity shall not exceed eighty (80) pounds.
- (6) The entire cleaning and drying process shall be carried on within completely enclosed solvent reclaiming units.
- (7) All solvents used in the cleaning process and the vapors therefrom shall be non-explosive and non-flammable.

(f) Automobile parking lot and parking garage.

(g) Church, private or parochial school, nursery school or child care center, non-profit private club.

(h) A residential use accessory to a permitted use.

(i) Accessory uses and structures.

(j) One-family dwelling on plots the use of which is restricted by valid restrictive covenants of record to such residential use.

(k) Sewage or water: Treatment, pumping and storage plants to serve the surrounding residential area. Such plants shall conform to the following requirements:

- (1) The plot shall not be less than one hundred (100) feet in width and ten thousand (10,000) square feet in area, and shall be as large as necessary to provide required setback areas.
- (2) No building or structure shall be located nearer to any residentially zoned property or to any street line than a distance equal to the height of such building or structure.
- (3) No unenclosed sewage treatment facility shall be located nearer to any residentially zoned property than one hundred seventy-five (175) feet.
- (4) No enclosed sewage treatment facility, or water pumping or treatment facility shall be located nearer than fifty (50) feet to any residentially zoned property.
- (5) All plots shall have a landscaped setback area at least twenty (20) feet in width or depth adjacent to all street lines and adjacent to all plot lines separating the subject property from residentially zoned property. The aforesaid landscaped setback area shall not be used for any building, structure, fence, wall, parking or storage. The landscaped setback area shall be planted with grass, shrubbery and trees and no part shall be paved or surfaced except for minimum driveways and walkways for access. All landscaping shall be maintained in a healthy, growing condition, properly trimmed, watered and cleaned.
- (6) All machinery, equipment and mechanical or electrical apparatus shall be so designed, installed and operated as to minimize noise effects upon surrounding property.

- (7) Plots shall not be used for storage of machinery or equipment or for service facilities for a franchised area.

(1) Sewage lift or pumping stations, containing no treatment facilities, subject to all the requirements of section 39-329(10). (Amend. Zoning Regs., § 32.2, 7-17-73)

**Sec. 39-630. Uses prohibited.**

The permissible uses enumerated in section 39-629 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) Pawnshops.
- (7) Sales, storage or display of lumber or building materials.
- (8) Theaters, nightclubs, 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. (Amend. Zoning Regs., § 32.3, 7-17-73)

**Sec. 39-631. Limitations on uses.**

(a) 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.

(b) No secondhand or used merchandise shall be offered for sale, displayed or stored.

(c) All products produced shall be sold at retail in connection with a permitted use.

(d) No retail store shall have a floor area open to the public, including display, service and sales, greater than five thousand (5,000) square feet. (Amend. Zoning Regs., § 32.4, 7-17-73)

**Sec. 39-632. Height.**

(a) No building or structure shall be erected or altered for a use first permitted in a B-1 district to a height exceeding two (2) stories or thirty (30) feet.

(b) No building or structure shall be erected or altered for any other use permitted in a B-1 district to a height exceeding four (4) stories or fifty (50) feet. (Amend. Zoning Regs., § 32.5, 7-17-73)

**Sec. 39-633. Plot size.**

There shall be no minimum required width or area of a plot. (Amend. Zoning Regs., § 32.6, 7-17-73)

**Sec. 39-634. Yards.**

(a) Plots utilized for both a non-residential and permitted residential use shall provide yards as specified in section 39-55.

(b) All plots shall provide yards in accordance with section 39-49. (Amend. Zoning Regs., § 32.7, 7-17-73)

**Secs. 39-635—39-644. Reserved.**

**ARTICLE XXXVI. COMMUNITY BUSINESS  
B-2 DISTRICTS****Sec. 39-645. 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. (Amend. Zoning Regs., § 33.1, 7-17-73)

**Sec. 39-646. 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 (1) 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 others 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, corsetiere, 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, dairy supplies and equipment not including feed or fertilizers, take-out food service stores including home delivery.
- (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 five (5) such trailers for rental purposes.

- (5) 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.
  - c. The services of not more than five (5) persons shall be utilized in the operation of the establishment.
  - d. Not more than two (2) cleaning units shall be used in any establishment, neither of which shall have a rated capacity in excess of forty (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.
- (6) The following amusement and recreation uses: Aquarium, assembly hall, nightclub, music hall, bar, tavern, pool or billiard room, theater, museum, exhibits, amusement devices such as penny arcades, peep shows, shooting galleries, games of skill and science, astrologists, fortune-telling, palmistry, phrenology.
- (7) 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, stockbroker, stock exchange, telegraph office, ticket office, travel agency, newspaper office.

- (8) 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.
- (9) 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, mortuary or funeral home, not including ambulance service, except for transportation of human remains.
- (10) 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 incinerators; private club, lodge, fraternity and similar uses not operated for profit.
- (11) Accessory uses and structures, including an automatic car-wash rack as an accessory use to a service station when the plot occupied by the service station and accessory uses has not less than one hundred thirty-five (135) feet of street frontage and twenty-seven thousand five hundred (27,500) square feet of area.
- (12) Self-service coin-operated auto wash, wherein the customer performs all services in washing, cleaning and drying. There shall be a continuous unpierced masonry wall five (5) feet in height on all plot lines except street plot lines. (Amend. Zoning Regs., § 33.2, 7-17-73)

**Sec. 39-647. Uses prohibited.**

The permissible uses enumerated in section 39-646 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, except for a specifically permitted accessory automatic car-wash rack.
- (2) Vocational schools, except as specifically permitted.
- (3) Drive-in theaters, drive-in restaurants, or drive-in refreshment stands.
- (4) Bulk sales, storage or display of lumber or building materials.
- (5) Wholesale establishments.
- (6) Pawnshop.
- (7) Display or sale of secondhand 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. (Amend. Zoning Regs., § 33.3, 7-17-73)

#### **Sec. 39-648. Limitations of uses.**

(a) 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, provided that drive-in type retail stores may conduct sales through open doors or windows.

(b) No secondhand 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.

(c) All products produced incidental to a permitted use shall be sold at retail on the premises. (Amend. Zoning Regs., § 33.4, 7-17-73)

**Sec. 39-649. Height.**

No building or structure shall be erected or altered to a height exceeding one hundred (100) feet. (Amend. Zoning Regs., § 33.5, 7-17-73)

**Sec. 39-650. Plot size.**

There shall be no minimum required width or area of a plot. (Amend. Zoning Regs., § 33.6, 7-17-73)

**Sec. 39-651. Yards.**

(a) Plots utilized for both a non-residential and a permitted residential use shall provide yards as specified in section 39-55.

(b) All plots shall provide yards in accordance with section 39-49. (Amend. Zoning Regs., § 33.7, 7-17-73)

**Secs. 39-652—39-661. Reserved.**

**ARTICLE XXXVII. PLANNED BUSINESS CENTER  
B-2A DISTRICT**

**Sec. 39-662. Purpose of district.**

The B-2A, planned business center district, is intended for locations where there is a need for proper design of buildings and structures, access and circulation and relation to surrounding areas to provide for efficient functioning of the permissible uses, especially business uses, and for adequate protection to adjacent and nearby residential areas. These objectives can be only defined in general terms, and their realization can only be attained by adequate yards, setbacks and limitation on principal and accessory uses where the plot is contiguous or near residentially zoned property. (Amend. Zoning Regs., § 34.1, 7-17-73)

**Sec. 39-663. 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 (1) or more of the following specified uses:

- (1) Any use permitted in B-2 districts, except service stations, provided that service stations shall be a permitted use in any area zoned B-2A prior to November 1, 1962. (Amend. Zoning Regs., § 34.2, 7-17-73)

**Sec. 39-664. Uses prohibited.**

The permissible uses enumerated in section 39-663 above 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 listed as prohibited in a B-2 district.
- (2) Service stations, provided that this prohibition shall not apply to areas zoned B-2A prior to November 1, 1962. (Amend. Zoning Regs., § 34.3, 7-17-73)

**Sec. 39-665. Limitations on uses.**

(a) Except for automobile parking lots, all activities of permitted uses, including sales, display, preparation and storage shall be conducted entirely within a completely enclosed building unless otherwise indicated, and approved, in a site development plan, provided that this limitation shall not apply to service stations in areas zoned B-2A prior to November 1, 1962.

(b) No secondhand or used merchandise shall be offered for sale, displayed or stored except in an antique store.

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

(d) Any plot in a B-2A district, having a common plot line with a residentially zoned district, shall be separated from such district by a substantial, continuous, masonry wall, a minimum of six (6) feet in height, so designed and

constructed as to prevent horizontal vision through such wall, along the common plot line. Such walls shall not extend closer to a street line than the required depth, or width, of yard on the residentially zoned property adjacent to the B-2A zoned plot. (Amend. Zoning Regs., § 34.4, 7-17-73)

**Sec. 39-666. Site development plan.**

(a) No building or structure shall be erected or altered, or land or water used, or any change of use consummated, nor shall any building permit be issued therefor, unless and until a site development plan for such building, structure and/or use shall have been checked by the enforcing official and by the Broward County Building, Planning and Zoning Department for conformity with this chapter.

(b) The site development plan shall include in proper form, detail, dimension and scale, the following:

- (1) The location, character, size and height of all buildings, structures and uses on the plot, including walls or fences.
- (2) Location, character and enclosure of all outside facilities for waste storage and disposal.
- (3) All curb cuts, driveways, parking areas, loading areas.
- (4) All pedestrian walkways, walls, yards, landscaping and landscape watering facilities.
- (5) Location, size, character, height and orientation of all signs other than flat or marquee signs.

(c) The site development plan shall conform to all applicable provisions of this chapter and shall in addition thereto provide such a design and arrangement of pertinent features and elements of the development and use of the plot as to:

- (1) Protect and minimize any undesirable effects upon contiguous and nearby residential property.

- (2) Provide sufficient off-street parking and loading facilities so that use of streets in the vicinity for this purpose will not be unavoidable.
- (3) Provide sufficient setbacks and yard spaces adjacent to streets and to residentially zoned property, with adequate landscaping in such yard and setback areas, in order to protect the appearance and character of the neighborhood.
- (4) Provide sufficient walls, fences, enclosures and/or hedges to prevent or minimize effects of noise, glare, odors, smoke, soot, upon surrounding residential property. (Amend. Zoning Regs., § 34.5, 7-17-73)

**Sec. 39-667. Height.**

No building or structure shall be erected or altered to a height exceeding thirty-five (35) feet. (Amend. Zoning Regs., § 34.6, 7-17-73)

**Sec. 39-668. Plot size.**

Every plot shall be not less than one hundred (100) feet in width and ten thousand (10,000) square feet in area. (Amend. Zoning Regs., § 34.7, 7-17-73)

**Sec. 39-669. Yards and setbacks.**

(a) All plots shall conform to sections 39-48, 39-49 and 39-55 as well as conforming to this article.

(b) Every plot shall be provided with an open space area at least twenty-five (25) feet in depth adjacent to all streets.

(c) The open space areas hereinbefore specified shall not be used for fences, walls, signs, lighting standards, parking, loading or for any other structure or purpose other than for driveways and walkways as hereinafter provided. All open space areas shall be fully landscaped with grass, shrubbery and trees except where crossed by permissible driveways or walkways.

(d) Driveways and walkways which may cross required open space areas shall be limited as follows:

- (1) No driveway shall exceed twenty (20) feet in width, and no walkway shall exceed six (6) feet in width.
  - (2) Total width of driveways and walkways measured along each street line shall not exceed twenty (20) per cent of the plot frontage along that street, provided that where the frontage on a street is less than two hundred (200) feet, but not less than one hundred (100) feet, two (2) driveways shall be permitted, each not more than twenty (20) feet in width, and that each plot may have at least one driveway for each street frontage.
  - (3) No driveway or walkway shall be located nearer than twenty (20) feet to any other driveway or walkway.
  - (4) No driveway shall be located nearer than twenty-five (25) feet to a street intersection.
  - (5) No driveway or walkway shall be located nearer than twenty-five (25) feet to any residentially zoned property, nor nearer than ten (10) feet to the plot line of any other property.
- (e) All buildings and roofed structures shall be located not less than fifteen (15) feet, plus one (1) foot for each foot of building height (including projecting roof signs) over fifteen (15) feet, from all residentially zoned property, and not less than twenty-five (25) feet from all street lines. (Amend. Zoning Regs., § 34.8, 7-17-73)

**Sec. 39-670. Maintenance.**

(a) All setback areas, yards, walkways, driveways and parking areas shall be maintained and kept in a neat and clean condition, free of refuse and debris.

(b) All landscaped areas shall be maintained in a live, healthy and growing condition, properly watered and trimmed. Any planting of grass, shrubs or trees which become dead or badly damaged shall be replaced with similar sound, healthy plant materials. (Amend. Zoning Regs., § 34.9, 7-17-73)

**Secs. 39-671—39-680. Reserved.**

**ARTICLE XXXVIII. SPECIAL BUSINESS  
B-2B.DISTRICT****Sec. 39-681. Purpose of district.**

The B-2B, special business district, is intended to apply to frontage trafficways where business uses of a somewhat more varied and liberal nature than B-2 district uses may be justified for public convenience and for an economic utilization of such frontage. (Amend. Zoning Regs., § 34.1A, 7-17-73)

**Sec. 39-682. 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:

(1) Any use permitted in a B-2 district.

(2) Any of the following uses:

Furniture repair shop  
Glass and mirror shop  
Hand laundry  
Lawnmower rentals, sales and repair  
Locksmith  
New and used furniture  
Pawnshop  
Plumbing and electrical contractor  
Printing shop  
Radio, television and phonograph repair  
Research and testing laboratory  
Retail plumbing and electrical fixtures  
Sale of automobile parts, bicycles  
Sharpening and grinding shop  
Telephone answering service  
Tire and battery store  
Upholstery shop

(3) Accessory uses and structures. (Amend. Zoning Regs., § 34.2A, 7-17-73)

**Sec. 39-683. Uses prohibited.**

The permissible uses enumerated in section 39-682 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, or machinery sales, display, storage or repair, including repair garages, used car agencies, used car lots and auto laundries.
- (2) Vocational schools, except as specifically permitted.
- (3) Drive-in theaters, drive-in restaurants, or drive-in refreshment stands.
- (4) Bulk sales, storage or display of lumber or building materials.
- (5) Wholesale establishments.
- (6) Cabinet, carpenter, sign or sheet metal shop.
- (7) Storage or warehouse uses except as accessory to a permitted use. (Amend. Zoning Regs., § 34.3A, 7-17-73)

**Sec. 39-684. Limitation of uses.**

(a) Except for automobile parking lots, drive-in banks, service stations, and plant nursery or landscaper, all activities of permitted uses, including sale, display, preparation and storage shall be conducted entirely within a completely enclosed building.

(b) All products produced incidental to a permitted use shall be sold at retail on the premises. (Amend. Zoning Regs., § 34.4A, 7-17-73)

**Sec. 39-685. Height.**

No building or structure shall be erected or altered to a height exceeding one hundred (100) feet. (Amend. Zoning Regs., § 34.4A, 7-17-73)

**Sec. 39-686. Plot size.**

There shall be no minimum required width or area of a plot. (Amend. Zoning Regs., § 34.6A, 7-17-73)

**Sec. 39-687. Yards.**

(a) Plots utilized for both a non-residential and a permitted residential use shall provide yards as specified in section 39-55 for a plot in a B-2 district.

(b) All plots shall provide yards as specified in section 39-49 for B-2 districts. (Amend. Zoning Regs., § 34.7A, 7-17-73)

**Secs. 39-688—39-697. Reserved.****ARTICLE XXXIX. GENERAL BUSINESS  
B-3 DISTRICT****Sec. 39-698. Purpose of district.**

The B-3, general business district, is intended to apply to arterial streets and trafficways 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. (Amend. Zoning Regs., § 35.1, 7-17-73)

**Sec. 39-699. 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 (1) 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 repair. Repair and service garage, not

including bumping and painting. Auto laundry. Display and storage of not more than ten (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 theater.
- (6) Armory, lodge hall, pawnshop, telephone exchange, taxidermist, veterinary, research and testing laboratory, pest control agency, plant nursery or landscaper.
- (7) Tire and battery store, retail plumbing and electrical fixtures, lawnmower rental, sales and service, ship chandlery, upholstery shop utilizing the services of not more than four (4) persons on the premises and occupying not more than four thousand (4,000) square feet of floor space, offices of electrical and plumbing contractors including not over four thousand (4,000) square feet of enclosed storage and shop space, with no outside or open-air storage of supplies or materials, used furniture and household appliances entirely within a fully enclosed building.
- (8) Accessory uses and structures.
- (9) Milk distributing stations, on a site not less than two (2) acres in area, two hundred (200) feet in depth and two hundred (200) feet in width.
- (10) Sale of used auto parts or motorcycles, inside of a fully enclosed building. Sign painting, inside of a fully enclosed building. Glass and mirror shop, awning and canvas shop, furniture repair shop, upholstery shop. (Amend. Zoning Regs., § 35.2, 7-17-73)

**Sec. 39-700. Uses prohibited.**

The permissible uses enumerated in section 39-699 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. (Amend. Zoning Regs., § 35.3, 7-17-73)

**Sec. 39-701. Limitations on uses.**

All products produced incidental to a permitted use shall be sold at retail on the premises. (Amend. Zoning Regs., § 35.4, 7-17-73)

**Sec. 39-702. Height.**

No building or structure shall be erected or altered to a height exceeding one hundred (100) feet. (Amend. Zoning Regs., § 35.5, 7-17-73)

**Sec. 39-703. Plot size.**

(a) There shall be no minimum required size of plot for non-residential uses.

(b) Plots containing a residential use permitted in a B-2 district shall be not less than one hundred (100) feet in width and ten thousand (10,000) square feet in area, except for accessory uses. (Amend. Zoning Regs., § 35.6, 7-17-73)

**Sec. 39-704. Yards.**

(a) Plots which have both non-residential and permitted residential uses, shall be provided with the yards specified under section 39-55.

(b) All plots shall provide yards in accordance with section 39-49. (Amend. Zoning Regs., § 35.7, 7-17-73)

**Sec. 39-705. Minimum floor area.**

The minimum floor area of a dwelling unit shall be three hundred twenty-five (325) square feet. The minimum floor area of a rental sleeping room in a hotel, lodging house, tourist home or similar use shall be one hundred fifty (150) square feet. (Amend. Zoning Regs., § 35.8, 7-17-73)

**Secs. 39-706—39-715. Reserved.**

**ARTICLE XL. RESERVED**

**Secs. 39-716—39-725. Reserved.**

**ARTICLE XLI. COMMERCIAL C-1 DISTRICTS**

**Sec. 39-726. 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. (Amend. Zoning Regs., § 37.1, 7-17-73)

**Sec. 39-727. 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 (1) or more of the following specified uses:

- (1) Any use permitted in B-3 districts, except as specified in section 39-728.
- (2) Sales and display of the following:
  - Automobile secondhand 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  
Secondhand 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  
Upholstery 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  
Lumberyard  
Electric utility yard  
Bottle gas storage, filling and distribution  
Non-accessory parking or open-air storage of commercial vehicles

(7) The following uses, when so located that no land allocated to such use or building occupied by such use lies within one hundred (100) feet of any residentially

zoned property, provided that this separation requirement shall apply only to principal uses and not to accessory uses which are not included in the list of uses which follows:

Automobile body shop

Boat building and repair, up to forty-five (45) foot length

Cabinet and carpenter shop

Heating contractor shop

Sheet metal shop

Sign shop

Tinsmith shop

- (8) Accessory uses and structures.
- (9) Building, service and repair of pleasure boats not over one hundred (100) feet waterline length, provided such use is located at least three hundred (300) feet from any residentially zoned property except where such property is zoned A-1 or A-2.
- (10) Storage of pleasure boats not over one hundred (100) feet waterline length provided such storage is located at least one hundred (100) feet from any residentially zoned property except where such property is zoned A-1 or A-2. (Amend. Zoning Regs., § 37.2, 7-17-73)

#### **Sec. 39-728. Uses prohibited.**

The permissible uses enumerated in section 39-727 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. (Amend. Zoning Regs., § 37.3, 7-17-73)

**Sec. 39-729. Height.**

No building or structure shall be erected or altered to a height exceeding one hundred (100) feet. (Amend. Zoning Regs., § 37.4, 7-17-73)

**Sec. 39-730. Plot size.**

There shall be no minimum required size of a plot. (Amend. Zoning Regs., § 37.5, 7-17-73)

**Sec. 39-731. Yards.**

Yards shall be provided in accordance with the provisions of sections 39-49 and 39-55. (Amend. Zoning Regs., § 37.6, 7-17-73)

**Secs. 39-732—39-741. Reserved.**

**ARTICLE XLII. LIGHT INDUSTRIAL  
M-1 DISTRICTS**

**Sec. 39-742. 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. (Amend. Zoning Regs., § 38.1, 7-17-73)

**Sec. 39-743. 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 (1) or more of the following uses:

- (1) Any use permitted in a B-3 district, except as prohibited in section 39-744.

- (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

Silverware

Spices and spice packing

Stationery

Shoes

Television, radio and phonograph

- (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 twenty (20) horsepower on any one (1) 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:

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

Printing, publishing, lithography and engraving

Stamping, dieing, shearing or punching of metal not over one-eighth ( $\frac{1}{8}$ ) inch in thickness

Tool, die and gauge shop

Transformer and electrical switching station

Boat building and repair, up to forty-five (45) foot length, when located more than five hundred (500) feet from residentially zoned property

Plumbing or electrical shop entirely within an enclosed building

Slat house

Manufacture of water based and/or epoxy based coatings, adhesives, sealants and paints

Manufacture of powder blends, potting compounds and plastisols

- (5) Warehouses and storage buildings.
- (6) Accessory uses and structures, including living quarters accessory to a permitted use. (Amend. Zoning Regs., § 38.2, 7-17-73)

**Sec. 39-744. Uses prohibited.**

The permissible uses enumerated in section 39-743 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, M-3 or M-4 district.
- (2) Foundry
- (3) Drop forging
- (4) Stamping, dieing, shearing or punching of metal exceeding one-eighth ( $\frac{1}{8}$ ) inch in thickness.
- (5) Paint or varnish manufacture
- (6) Oil compounding or barreling
- (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. (Amend. Zoning Regs., § 38.3, 7-17-73)

**Sec. 39-745. Height.**

No building or structure shall be erected or altered to a height exceeding one hundred (100) feet. (Amend. Zoning Regs., § 38.4, 7-17-73)

**Sec. 39-746. Plot size.**

There shall be no minimum required size of plot. (Amend. Zoning Regs., § 38.5, 7-17-73)

**Sec. 39-747. Yards.**

Every plot shall be provided with the yards required under sections 39-49 and 39-55. (Amend. Zoning Regs., § 38.6, 7-17-73)

**Secs. 39-748—39-757. Reserved.**

**ARTICLE XLIII. MEDIUM INDUSTRIAL  
M-2 DISTRICTS**

**Sec. 39-758. 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. (Amend. Zoning Regs., § 39.1, 7-17-73)

**Sec. 39-759. 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 (1) 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 hangar  
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  
Lumberyard 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 antennae  
 Welding shop

- (4) 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, wood or wool, provided the area so used is located inside a fully enclosed building or masonry wall at least six (6) feet in height.

- (5) The following uses, when so located that no land allocated to such use or building occupied by such use lies within three hundred (300) feet of any residentially zoned property, provided that this separation requirement shall apply only to principal uses, and not to accessory uses which are not included in the list of uses which follows:

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  
 Manufacture of poison or sperm oil  
 Racetrack: Automobile, motorcycle, horse or dog  
 Rifle range  
 Tank storage of bulk oil or gasoline  
 Truck terminal or motor freight terminal

- (6) Accessory uses and structures, including living quarters accessory to a permitted use.
- (7) Cutting and finishing of stone from pre-cut slabs for interior or exterior facing of buildings, if such

operations are conducted within a fully enclosed building. (Amend. Zoning Regs., § 39.2, 7-17-73)

**Sec. 39-760. Uses prohibited.**

The permissible uses enumerated in section 39-759 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 or M-4 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) Hotels, motels, boarding or rooming houses, lodging houses, tourist homes, trailer courts or parks, bungalow courts.
- (9) Institutions for the housing, care or treatment of sick, indigent, aged or adolescent persons. (Amend. Zoning Regs., § 39.3, 7-17-73)

**Sec. 39-761. Height.**

No building or structure shall be erected or altered to a height exceeding one hundred (100) feet except that radio antenna towers may be erected to a height not exceeding two hundred (200) feet. (Amend. Zoning Regs., § 39.4, 7-17-73)

**Sec. 39-762. Plot size.**

There shall be no minimum required size of a plot. (Amend. Zoning Regs., § 39.5, 7-17-73)

**Sec. 39-763. Yards.**

Every plot shall be provided with the yards required under sections 39-49 and 39-55. (Amend. Zoning Regs., § 39.6, 7-17-73)

**Secs. 39-764—39-773. Reserved.**

**ARTICLE XLIV. GENERAL INDUSTRIAL  
M-3 DISTRICTS**

**Sec. 39-774. Purpose of district.**

The M-3, general industrial district, is intended primarily for the larger and heavier types of manufacturing uses which normally have no serious effects upon contiguous non-residential areas. In order to minimize conflict and to preserve the general industrial areas for intended uses, certain residential and institutional uses are not permitted therein. (Amend. Zoning Regs., § 40.1, 7-17-73)

**Sec. 39-775. 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) Any of the following uses:

Brewing and distilling of malt beverages or liquors

Bulk storage of petroleum and petroleum products

Butane or propane manufacturing or storage

Can manufacturing from metal, such as tin cans or aluminum cans

Carpet manufacture, power looms

Celluloid or similar cellulose material manufacture or storage

Cleansing preparation manufacturing, such as soaps, detergents, cleansers, etc.

Concrete batching or mixing plant

Concrete products manufacture

Cotton gin  
Cotton oil plant  
Cotton seed product manufacture  
Dredging base  
Dry ice manufacturing  
Fertilizer compounding from dry, non-odorous materials  
Furniture manufacturing, not elsewhere permitted  
Glass products from previously manufactured glass  
Magnetic wire manufacturing  
Oil compounding involving inflammable materials, such as oil, lacquer, shellac, etc., except as incidental to other business  
Pottery manufacturing, not elsewhere permitted  
Salt works  
Septic tank service  
Soap manufacturing  
Vegetable oil manufacturing or refining  
Veneer or plywood plant  
Fertilizer compounding from liquid, non-odorous materials  
Feed, flour and grist milling

- (3) Any use not prohibited by section 39-776, not prohibited by other resolutions or by law, and not listed as permissible only in an M-4 or an M-5 district.
- (4) Accessory uses and structures, including living quarters accessory to a permitted use.
- (5) Docks and docking of boats and ships for loading and unloading. Storage, repair and building of boats not over one hundred twenty (120) feet in length. (Amend. Zoning Regs., § 40.2, 7-17-73)

#### **Sec. 39-776. Uses prohibited.**

- (a) Dwellings except as accessory to a permitted use.
- (b) Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalow courts.

(c) Institutions for the housing, care or treatment of sick, indigent, aged, adolescent or other persons.

(d) Any use which produces effects upon contiguous property in the form of noise, odor, vibration, smoke, particulate matter, glare, heat, or fire or explosive hazard to a degree equivalent to any use specified in this chapter as first permitted in an M-4 or M-5 district. (Amend. Zoning Regs., § 40.3, 7-17-73)

**Sec. 39-777. Height.**

No building or structure or part thereof shall be erected or altered to a height exceeding one hundred fifty (150) feet. (Amend. Zoning Regs., § 40.4, 7-17-73)

**Sec. 39-778. Plot size.**

Every plot utilized for a use first permitted in an M-3 district shall not be less than one hundred (100) feet in width and ten thousand (10,000) square feet in area. (Amend. Zoning Regs., § 40.5, 7-17-73)

**Sec. 39-779. Yards.**

Every plot shall be provided with yards required under sections 39-49 and 39-55. (Amend. Zoning Regs., § 40.6, 7-17-73)

**Secs. 39-780—39-789. Reserved.**

**ARTICLE XLV. LIMITED HEAVY INDUSTRIAL  
M-4 DISTRICTS**

**Sec. 39-790. Purpose of district.**

The M-4, limited heavy industrial district, is intended to apply to areas situated within an industrial section, which because of location, access, transportation and relation to other industrial areas, can be appropriately utilized for heavier types of industry which would not be suitable for M-3 districts. (Amend. Zoning Regs., § 41.1, 7-17-73)

**Sec. 39-791. 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-3 district.

(2) Any of the following uses:

Asphalt paving plant

Abrasive products manufacturing

Bag cleaning

Brick, tile, terra cotta manufacturing

Carnival, circus, circus quarters, menagerie or keeping wild animals

Creosote manufacture or treatment

Fish smoking, curing or canning

Foundry

Freight classification yard

Grain processing and storage except as incidental to feed and seed business

House wrecking yards; used building materials yard

Junkyards; automobile wrecking yards

Livestock auction

Oil reclamation

Poison or sperm oil manufacturing

Potash manufacture

Pyroxylin and pyroxylin products manufacturing

Sawmill

Shipyard

Slag crushing

Storage of poisonous gases except as incidental to exterminating business

Wool pulling or scouring

(3) Accessory uses and structures, including living quarters accessory to a permitted use. (Amend. Zoning Regs., § 41.2, 7-17-73)

**Sec. 39-792. Uses prohibited.**

The permissible uses enumerated in section 39-791 above, shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

- (1) Dwellings except as accessory to a permitted use.
- (2) Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalows, courts, trailer parks.
- (3) Institutions for the housing, care or treatment of sick, indigent, aged, adolescent or other persons. (Amend. Zoning Regs., § 41.3, 7-17-73)

**Sec. 39-793. Height.**

No building or structure or part thereof shall be erected or altered to a height exceeding one hundred fifty (150) feet. (Amend. Zoning Regs., § 41.4, 7-17-73)

**Sec. 39-794. Plot size.**

(a) Every plot utilized for a use first permitted in an M-3 district shall not be less than one hundred (100) feet in width and ten thousand (10,000) square feet in area.

(b) Every plot utilized for a use first permitted in an M-4 district shall not be less than two hundred (200) feet in width and forty thousand (40,000) square feet in area. (Amend. Zoning Regs., § 41.5, 7-17-73)

**Sec. 39-795. Yards and separation.**

(a) Every plot shall be provided with yards required under sections 39-49 and 39-55.

(b) No portion of any land utilized for, or building occupied by a use first permitted in an M-4 district shall be located within three hundred (300) feet of any residentially zoned property or any property zoned in an A-1 or A-2 district, provided that this separation requirement shall not apply to accessory uses which are permissible in M-3 or more restricted districts as principal uses.

(c) Any land, building or structure utilized for a use first permitted in an M-4 district shall be located at least fifty (50) feet from all plot lines, provided that this fifty-foot

setback area may be utilized for accessory uses, buildings and structures permitted in an M-3 or more restricted district. (Amend. Zoning Regs., § 41.6, 7-17-73)

**Secs. 39-796—39-805. Reserved.**

## **ARTICLE XLVI. HEAVY INDUSTRIAL M-5 DISTRICTS**

### **Sec. 39-806. Purpose of district.**

The M-5, heavy industrial district, is intended to apply to areas which presently or in the future will be embedded in or surrounded by other kinds of industrial districts, and which areas will be suitable for the heaviest types of industry. Such areas are not compatible with residential uses and must be well separated therefrom in order to minimize any possible objectionable effects. (Amend. Zoning Regs., § 42.1, 7-17-73)

### **Sec. 39-807. 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 an M-4 district.
- (2) Any of the following uses:

Abattoir or slaughterhouse  
Acid (corrosive) manufacturing, including hydrochloric, nitric, picric, sulphurous and sulphuric  
Alkaline products manufacturing, not elsewhere permitted  
Ammonia, chlorine or bleaching powder manufacture  
Asphalt manufacturing or refining  
Blast furnace  
Blooming mill  
Bone distillation  
Cement, lime, gypsum or plaster of paris manufacture  
Chemical manufacturing, not elsewhere permitted

- Coke oven
- Drop forge
- Drilling, production, or refining of petroleum products
- Distillation of coal, tar, petroleum refuse and similar materials
- Extraction of animal or fish oils
- Fertilizer manufacturing, not elsewhere permitted
- Garbage, offal, dead animal refuse, rancid fats; incineration, reduction or storage of
- Glue, size, or gelatin manufacturing where process includes refining or recovery from fish, animal refuse, or offal
- Gunpowder, fireworks or explosives manufacturing
- Paper and/or pulp mills
- Radium extraction
- Rendering plant
- Rolling mill
- Rubber manufacturing from raw materials
- Smelting or refining ores
- Steel manufacturing by Bessemer, open hearth or other process
- Stockyards or feeding pens
- Sugar refining
- Tanning, curing or storage of raw hides, except as incidental to taxidermy
- Tire and/or tube manufacturing
- (3) Any use not prohibited by section 39-808, and not prohibited by law or by other resolutions.
- (4) Accessory uses and structures, including living quarters accessory to a permitted use. (Amend. Zoning Regs., § 42.2, 7-17-73)

**Sec. 39-808. Uses prohibited.**

- (a) Dwellings except as accessory to a permitted use.
- (b) Hotels, motels, apartment hotels, rooming, boarding or lodging houses, villas, bungalow courts.
- (c) Institutions for the housing, care or treatment of sick, indigent, aged, adolescent or other persons. (Amend. Zoning Regs., § 42.3, 7-17-73)

**Sec. 39-809. Height.**

No building or structure or part thereof shall be erected or altered to a height exceeding two hundred (200) feet. (Amend. Zoning Regs., § 42.4, 7-17-73)

**Sec. 39-810. Plot size.**

(a) Every plot utilized for a use first permitted in an M-3 district shall not be less than one hundred (100) feet in width and ten thousand (10,000) square feet in area.

(b) Every plot utilized for a use first permitted in an M-4 district shall be not less than two hundred (200) feet in width and forty thousand (40,000) square feet in area.

(c) Every plot utilized for a use first permitted in an M-5 district shall be not less than four hundred (400) feet in width and four (4) acres in area. (Amend. Zoning Regs., § 42.5, 7-17-73)

**Sec. 39-811. Yards and separation.**

(a) Every plot shall be provided with yards required under sections 39-49 and 39-55.

(b) No portion of any land utilized for, or building occupied by a use first permitted in an M-4 district shall be located within three hundred (300) feet of any residentially zoned property or any property zoned in an A-1 or A-2 district, provided that this separation requirement shall not apply to accessory uses which are permissible in M-3 or more restricted districts as principal uses.

(c) Any land, building or structure utilized for a use first permitted in an M-4 district shall be located at least fifty (50) feet from all plot lines, provided that this fifty-foot setback area may be utilized for accessory uses, buildings, and structures permitted in an M-3 or more restricted district.

(d) No portion of any land utilized for, or building occupied by a use first permitted in an M-5 district shall be located within six hundred (600) feet of any residentially

zoned property or any property zoned in an A-1 or A-2 district, provided that this separation requirement shall not apply to accessory uses which are permissible in M-3 or more restricted districts as a permissible use.

(e) Any land, building or structure utilized for a use first permitted in an M-5 District shall be located at least one hundred (100) feet from all plot lines, provided that this one hundred-foot setback area may be utilized for accessory uses, buildings and structures permitted in an M-3 or more restricted district. (Amend. Zoning Regs., § 42.6, 7-17-73)

**Secs. 39-812—39-821. Reserved.**

## ARTICLE XLVII. SPECIAL DISTRICT REGULATIONS

### **Sec. 39-822. 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-1P, R-2, R-2P, R-3, R-4, R-5, R-6, T-1, D-1, E-1, R-2U, R-3U or R-4U 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, B-2B or B-3 district, provided

that a plot occupied as a service station may have stored thereon not over three (3) non-accessory commercial vehicles, bearing a valid Florida commercial vehicle's license or which would require such a license plate if licensed in the State of Florida, except commercial vehicles which would require a Florida GW license. (Amend. Zoning Regs., § 43.1, 7-17-73)

#### **Sec. 39-823. 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. (Amend. Zoning Regs., § 43.2, 7-17-73)

#### **Sec. 39-824. Junkyards.**

The following regulations shall apply to all junkyards:

- (1) The area of land to be so used shall not be less than twenty thousand (20,000) square feet nor more than one hundred thousand (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 three hundred (300) feet of any residential district, within fifty (50) feet of the front street line nor within thirty (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 junkyard shall be surrounded by a substantial, continuous masonry, wooden or metal fence or wall eight (8) feet in height without openings except for entrance and exit, which openings shall be equipped with unpierced gates. (Amend. Zoning Regs., § 43.3, 7-17-73)

#### **Sec. 39-825. 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 a parcel of land, not less than ten (10) acres in area, which is zoned agricultural and which is used primarily for the growing of fruit, vegetables, produce, sod or crops, and where the use of the house trailer is accessory to such agricultural use.
- c. For a period not in excess of six (6) 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 (6) 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 this chapter.

(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. (Amend. Zoning Regs., § 43.4, 7-17-73)

#### **Sec. 39-826. 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 chapter relative to buildings or structures hereafter erected upon the plot or premises to which such building or structure shall have been moved. (Amend. Zoning Regs., § 43.5, 7-17-73)

**Sec. 39-827. 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. (Amend. Zoning Regs., § 43.6, 7-17-73)

**Sec. 39-828. Grade of buildings.**

The top surface of all floors of residential buildings shall be not less than eighteen (18) inches, and of non-residential buildings shall be not less than six (6) inches, above the highest point of the crown of all streets adjacent to the plot upon which such buildings are located. (Amend. Zoning Regs., § 43.7, 7-17-73)

**Sec. 39-829. Recreational vehicles.**

The following regulations shall apply to recreational vehicles:

- (1) Recreational vehicles may be parked in the open on sites containing a permitted residential use, subject to the following conditions:
  - a. Not more than one (1) such vehicle per dwelling unit may be on each site.
  - b. Such parking shall be limited to vehicles owned by:
    1. The occupant of the residence.
    2. House guests of the occupant.
  - c. The location of parked vehicles shall be to the rear of the required front yard for any period of time exceeding forty-eight (48) hours.
  - d. The vehicles shall at all times have attached a valid motor vehicle license plate.

- e. While parked on the site no service may be performed on the vehicle other than to repair or replace tires or batteries.
- f. At no time while parked in a residential area shall sewer or electrical service connections be made to the vehicle, or any occupancy thereof be permitted. (Amend. Zoning Regs., § 43.8, 7-17-73)

**Secs. 39-830—39-839. Reserved.**

## ARTICLE XLVIII. SERVICE STATIONS

### **Sec. 39-840. Size of plot.**

A plot to be occupied by a service station shall be not less than one hundred (100) feet in width and one hundred (100) feet in depth. (Amend. Zoning Regs., § 44.1, 7-17-73)

### **Sec. 39-841. Location of service stations.**

(a) *Distance between service stations.* There shall be a minimum distance of seven hundred fifty (750) feet, shortest airline measurement, between the nearest points on any two (2) plots occupied or to be occupied for service station purposes, provided that this separation requirement shall not apply to a plot located at the intersection of two (2) or more streets.

(b) *Distance to public place.* There shall be a minimum distance of two hundred fifty (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. (Amend. Zoning Regs., § 44.2, 7-17-73)

### **Sec. 39-842. Clearances required.**

(a) Gasoline pumps shall be located not less than twelve (12) feet from any street line and not less than ten (10) feet from any other property line.

(b) No gasoline pump shall be located within twenty-five (25) feet of any property which is residentially zoned. (Amend. Zoning Regs., § 44.3, 7-17-73)

#### **Sec. 39-843. Protective wall.**

(a) 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 of a plot occupied as a service station. Such wall or fence shall be three (3) feet six (6) inches in height and shall be continuous and unpierced, except that on an alley line there may be a three (3) foot opening which is closed by a substantial gate when the opening is not in use.

(b) 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. (Amend. Zoning Regs., § 44.4, 7-17-73)

#### **Sec. 39-844. Driveways.**

There shall be not more than two (2) driveways for entrance and exit to a service station for each one hundred (100) feet, or major fraction thereof, of plot frontage on any street. Driveways shall be not over forty-two (42) feet in width at the street line and there shall be at least ten (10) feet of landscaped area between any two (2) driveways. Measured along the street line, driveways shall be at least ten (10) feet from a private property line or alley line. On a corner plot, all driveways shall be at least ten (10) feet from the intersection of the street lines or from the intersection of the street lines produced. (Amend. Zoning Regs., § 44.5, 7-17-73)

#### **Sec. 39-845. 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. (Amend. Zoning Regs., § 44.6, 7-17-73)

**Sec. 39-846. Storage of flammable liquids.**

(a) All gasoline, benzene, diesel fuel, naphtha or other volatile flammable liquids stored incidental to the operation of a service station, shall be kept in underground tanks.

(b) The total capacity of tanks and storage facilities for flammable liquids incidental to the operation of a service station shall not exceed thirty thousand (30,000) gallons. (Amend. Zoning Regs., § 44.7, 7-17-73)

**Sec. 39-847. Accessory uses.**

(a) A service station may have any of the following accessory uses: Convenience food store, dairy products, convenience take-out products, subject to the following:

- (1) A plot to be occupied by a service station and any of the above, shall have not less than one hundred fifty (150) feet of street frontage and twenty-two thousand five hundred (22,500) square feet of the area.
- (2) The accessory use shall be conducted entirely within a completely enclosed building. No outside display shall be allowed for the accessory use. All products shall be prepackaged.
- (3) No secondhand or used merchandise shall be offered for sale, displayed or stored.
- (4) Facilities for waste storage and disposal shall be located inside of the building being used for the accessory use.
- (5) Off-street parking shall be provided for the accessory use as required in Article IX. The off-street parking shall be so designed and located that it does not interfere with traffic entering the service station for automobile service and fueling, provided however, that a minimum of four (4) parking spaces shall be provided for any accessory use.
- (6) Only one (1) wall sign will be allowed for the accessory use. The square footage of the sign shall not

exceed thirty-two (32) square feet in area. The area shall be computed as outlined in section 39-14 , terms defined.

(b) No permit shall be issued for a service station accessory use unless and until a site development plan is submitted and approved by the enforcing official for conformity with this chapter.

(c) The site development plan shall include, in proper form, details and dimensions and scale, the following:

- (1) The location, character, size and height of all buildings, structures, and uses on the plot, including walls or fences.
- (2) All curb cuts, driveways, parking areas, loading areas.
- (3) Location, size, character, height and orientation of all signs other than flat or marquee signs. (Amend. Zoning Regs., § 44.8, 7-17-73)

**Secs. 39-848—39-857. Reserved.**

## **ARTICLE XLIX. ALCOHOLIC BEVERAGE ESTABLISHMENTS**

### **Sec. 39-858. Application.**

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 chapter. (Amend. Zoning Regs., § 45. , 7-17-73)

### **Sec. 39-859. Separation requirements.**

(a) Establishments for the sale of alcoholic beverages shall be located at least five hundred (500) feet from any other such establishment, the required five hundred (500) foot separation being measured from main entrance of one

establishment to the main entrance of another establishment along the shortest possible line falling entirely within public streets. The preceding separation requirement shall not apply where one of the two (2) establishments is:

- (1) An establishment incidental to, and within a portion of a building used for a bona fide restaurant seating at least one hundred (100) patrons at tables.
- (2) An establishment incidental to and within a building used as a hotel with at least fifty (50) rental sleeping rooms and where the entrance to the establishment is within the hotel portion of the building and there is no direct entrance to the establishment from the exterior.
- (3) An establishment incidental to and within a bona fide non-profit private club where only members and their guests are served.

(b) Establishments for the sale of alcoholic beverages shall be located not nearer to any church or public, private or parochial, elementary or high school, than three hundred (300) feet airline measurement or one thousand five hundred (1,500) feet measured along the shortest possible line lying entirely within public streets, both measurements being between the nearest entrance to the alcoholic beverage establishment and the nearest point on the plot occupied by the church or school, provided that the aforesaid separation requirement shall not apply to:

- (1) An establishment incidental to and within a portion of a building used for a restaurant, seating at least two hundred (200) patrons at tables within an area of not less than four thousand (4,000) square feet.
- (2) An establishment incidental to and within a portion of a building used as a hotel with at least one hundred (100) rental sleeping rooms and where the entrance to the establishment is within the hotel portion of the building and there is not direct entrance to the establishment from the exterior.
- (3) An establishment incidental to and within a bona fide non-profit private club wherein only members and their guests are served. (Amend. Zoning Regs., § 45.1, 7-17-73)

**Sec. 39-860. Limitations and qualifications.**

In order to qualify for the exemptions and modifications provided for separation of alcoholic beverage establishments in section 39-859, establishments in hotels and restaurants shall further conform to the following requirements:

- (1) *Hotels.* There shall be no show windows, 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.
- (2) *Restaurants.* There shall be no show windows, 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 sign indicating dancing and entertainment. There shall be no bar, cocktail, beer, wine, liquor or similar sign visible from the exterior of the building.
- (3) *Private clubs.* There shall be no show window, display or sign indicating the existence or location of the establishment visible from the exterior of the building, nor shall there be any sign indicating sale of alcoholic beverages visible from the exterior of the building. (Amend. Zoning Regs., § 45.2, 7-17-73)

**Sec. 39-861. Definitions.**

(a) For the purposes of this article, the term church shall mean an edifice designed and/or arranged for religious services, on land held in fee or on long term lease by an organized group, which group utilizes such edifice for regular and continuing religious services.

(b) For the purposes of this article, the term restaurant shall mean an enclosed building wherein hot food prepared on the premises is available to and is regularly served to patrons seated at tables at all times that alcoholic beverages are served. (Amend. Zoning Regs., § 45.3, 7-17-73)

**Sec. 39-862. Application to new churches, schools.**

Where an establishment for the sale of alcoholic beverages is located in conformity with the provisions of this article, the subsequent locating of a church or school in the proximity of such existing establishment shall not be construed to cause such establishment to be in violation of this article. (Amend. Zoning Regs., § 45.4, 7-17-73)

**Sec. 39-863. Beer and wine package stores.**

There shall be no separation requirement or limitation applicable to the location of places for the sale of beer or wine for consumption off the premises. (Amend. Zoning Regs., § 45.5, 7-17-73)

**Sec. 39-864. Existing establishments.**

The provisions of this article shall not be construed to be retroactive, and any existing establishment for the sale of alcoholic beverages which conformed to the regulations in effect when such establishment was established, shall not be rendered illegal or in violation through the adoption of these regulations. (Amend. Zoning Regs., § 45.6, 7-17-73)

**Secs. 39-865—39-874. Reserved.**

**ARTICLE L. SIGN REGULATIONS**

**Sec. 39-875. Scope.**

The provisions of this article shall govern the number, size, location and character of all signs which may be permitted either as a main or accessory use under the terms of this chapter. No signs shall be permitted on a plot either as a main or accessory use except in accordance with the provisions of this article. (Amend. Zoning Regs., § 46.1, 7-17-73)

**Sec. 39-876. Snipe signs.**

Snipe signs shall not be permitted at any location within the unincorporated areas of Broward County. (Amend. Zoning Regs., § 46.2, 7-17-73)

**Sec. 39-877. 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. (Amend Zoning Regs., § 46.3, 7-17-73)

**Sec. 39-878. 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. (Amend. Zoning Regs., § 46.4, 7-17-73)

**Sec. 39-879. 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, A-2, A-3, A-4, A-5, A-6, A-7, A-8, B-2, B-2A, B-2B, B-3, C-1, M-1, M-2, M-3, M-4 and M-5 districts. (Amend. Zoning Regs., § 46.5, 7-17-73)

**Sec. 39-880. Signs in agricultural districts.**

The following regulations shall apply to all signs on a plot in an A-1, A-2, A-3, A-4, A-5, A-6, A-7 and A-8 district:

- (1) Service signs and advertising signs shall be permitted subject, however, to the provisions of this section and sections 39-879 and 39-891.
- (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 twelve (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 thirty-two (32) square feet in area for each five hundred (500) feet, or major fraction thereof, of street frontage of the property involved.

- (4) There may be a bulletin board not exceeding thirty-two (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 thirty-two (32) square feet in area. The uses listed herein may each have one combination vertical and roof sign, not exceeding one hundred (100) square feet in total area, five (5) feet in projection beyond the wall or ten (10) feet in height above the roof.
- (5) There may be directional signs on a plot, none of such signs to exceed twelve (12) square feet in area.
- (6) There may be trespassing or caution signs on a plot, none of such signs to exceed twelve (12) square feet in area.
- (7) No ground sign shall exceed twenty-five (25) feet in overall height above the ground or grade of the adjacent road, whichever may be higher. (Amend. Zoning Regs., § 46.6, 7-17-73)

**Sec. 39-881. Signs in R-1 and D-1 districts.**

(a) The following signs shall be permitted on a plot in an R-1A, R-1B, R-1C, R-1T, R-1P, D-1 or E-1 district:

- (1) One (1) non-illuminated real estate sign not over six (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.
- (2) One (1) non-illuminated wall or ground sign not over two (2) square feet in area to prohibit trespassing, for safety or for caution.
- (3) On a plot containing a permitted non-residential use, other than an accessory use, there may be one

identification wall sign not over twelve (12) square feet in area and one bulletin sign not over thirty-two (32) square feet in area, on each street side.

- (4) Two (2) non-illuminated, subdivision or project ground signs each having an area not over one hundred twenty-eight (128) square feet will be permitted on a subdivision while under development to advertise the sale of the lots or new houses, provided such subdivision has an area of at least three (3) acres.
- (5) No sign shall be of the animated roof or projecting type. The overall height of any ground sign shall not exceed four (4) feet above the ground, except that a bulletin sign or subdivision sign may extend to a maximum height of twelve (12) feet above the ground. (Amend. Zoning Regs., § 46.7, 7-17-73)

**Sec. 39-882. Signs in R-2, R-2U and R-2P districts.**

The following signs shall be permitted on a plot in R-2, R-2U and R-2P districts:

- (1) Signs as permitted in section 39-881. (Amend. Zoning Regs., § 46-8, 7-17-73)

**Sec. 39-883. Signs in R-3 and R-3U districts.**

(a) The following signs shall be permitted on a plot in an R-3 and R-3U district:

- (1) Signs as permitted in section 39-881.
- (2) One (1) non-illuminated identification wall or ground sign not exceeding six (6) square feet in area for a rooming house.
- (3) One (1) wall sign not exceeding thirty-two (32) square feet in area on each street side, to identify a multiple dwelling or other permissible use.
- (4) One (1) wall or ground sign not over six (6) square feet in area to advertise a doctor, dentist, nursery school or child care center.

(b) No sign shall be of the animated, projecting or roof type. Ground signs permitted in subsections (a)(2) and (a)(4) shall not exceed five (5) feet in overall height above the ground. (Amend. Zoning Regs., § 46.9, 7-17-73)

**Sec. 39-884. 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 39-883.
- (2) A wall sign not over sixty-four (64) square feet in area to identify a permissible use. (Amend. Zoning Regs., § 46-10, 7-17-73)

**Sec. 39-885. 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 39-884.
- (2) Where the main use of the premises is a hotel, motel, apartment, villa, bungalow court or any combination thereof, the following signs shall be permitted to advertise such main use.
  - a. One (1) ground sign which may have two (2) faces each not over three hundred (300) square feet in area, not over twenty-five (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 ten (10) feet to any street line or base building line.
  - b. A pylon sign which may have two (2) faces each not over three hundred (300) square feet in area and not extending more than twenty-five (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 four hundred (400) square feet on either face or a height of fifteen (15) feet above the roof line for a one-story

building, and a total area of eight hundred (800) square feet on either face or a height of thirty (30) feet above the roof line for a building over one (1) story in height. Such signs shall not project more than four (4) feet beyond the building wall.

- d. A wall sign not exceeding four hundred (400) square feet in area for a one-story building, with an additional one hundred (100) square feet of area permitted for each story above the first story.
- (3) One wall sign not over thirty-two (32) square feet in area may be used to advertise the special accessory uses permitted in section 39-512(a). (Amend. Zoning Regs., § 46.11, 7-17-73)

#### **Sec. 39-886. 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 twelve (12) square feet in area.
- (2) Trespassing and warning signs, each of which shall not exceed twelve (12) square feet in area.
- (3) One (1) ground sign which may have two (2) faces each not over one hundred fifty (150) square feet in area, and not exceeding twenty (20) feet in overall height above the ground.
- (4) One wall sign, not exceeding fifty (50) square feet in area, on an accessory building as permitted in section 39-552. (Amend. Zoning Regs., § 46.12, 7-17-73)

#### **Sec. 39-887. Signs in B-1 districts.**

(a) The following signs shall be permitted on a plot in a B-1 district:

- (1) Signs as permitted in section 39-884.
- (2) Ground signs each not over one hundred (100) square feet in area and not exceeding twelve (12) feet in overall height above the ground.

- (3) Wall signs not exceeding twenty (20) per cent of the area of the wall upon which they are placed.
- (4) Marquee signs, provided such signs shall not extend beyond the marquee and shall not exceed four (4) feet in height.
- (5) Combination vertical and roof signs, provided that such signs shall not exceed one hundred (100) square feet in area, shall not extend more than four (4) feet from the building wall and shall not extend more than five (5) feet above the roof.

(b) No advertising, animated, projecting or roof signs shall be permitted in a B-1 district except as specified in subsection (a)(5) above.

(c) The aggregate area of all signs on any buildings or premises shall not exceed four (4) square feet in area for each foot of frontage of the buildings displaying such signs, or two (2) square feet for each foot of frontage of the property occupied by such buildings or devoted to such use, whichever is the greatest.

(d) No signs shall be placed within fifty (50) feet of any residentially zoned property in an R-1A, R-1B, R-1C, R-1T, R-1P, R-2, R-2P, R-3, R-4, R-4A, E-1, D-1, R-2U or R-3U district. (Amend. Zoning Regs., § 46.13, 7-17-73)

#### **Sec. 39-888. 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 39-887.
- (2) Wall, ground, roof and pylon signs, provided that the maximum height of a roof sign above the roof shall not exceed either twenty-five (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 two hundred (200) square feet in area for a one-story building plus an additional fifty (50) square feet of area for each story above the first story, shall not extend more than four (4) feet from the building wall and shall not extend more than fifteen (15) feet above the roof.
- (5) Advertising signs subject to section 39-893.
- (6) No sign shall be placed within fifty (50) feet of any residentially zoned property in an R-1A, R-1B, R-1C, R-1T, R-1P, R-2, R-2P, R-3, R-4, R-4A, E-1, D-1, R-2U or R-3U district. No ground sign shall exceed twenty-five (25) feet in overall height above the ground. (Amend. Zoning Regs., § 46.14, 7-17-73)

**Sec. 39-889. Signs in B-2A and B-2B districts.**

The following signs shall be permitted on plots in B-2A and B-2B districts:

- (1) Signs as permitted in section 39-888. (Amend. Zoning Regs., § 46.15, 7-17-73)

**Sec. 39-890. 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 39-888.
- (2) Roof signs provided that the maximum height of a roof sign above the roof shall not exceed either twenty-five (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 five (5) feet beyond the wall.
- (4) Advertising signs subject to section 39-893.
- (5) No sign shall be placed within fifty (50) feet of any residentially zoned property in an R-1A, R-1B, R-1C, R-1T, R-1P, R-2, R-2P, R-3, R-4, R-4A, E-1, D-1,

R-2U or R-3U district. No ground sign shall exceed twenty-five (25) feet in overall height above the ground. (Amend. Zoning Regs., § 46.16, 7-17-73)

**Sec. 39-891. Signs in C-1 districts.**

Signs as permitted in section 39-890. (Amend. Zoning Regs., § 46.17, 7-17-73)

**Sec. 39-892. Signs in M-1, M-2, M-3, M-4 and M-5 districts.**

The following signs shall be permitted on a plot in an M-1, M-2, M-3, M-4 and M-5 district:

- (1) Signs as permitted in section 39-890. (Amend. Zoning Regs., § 46.18, 7-17-73)

**Sec. 39-893. 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 twenty-five (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 five hundred (500) feet in an A-1 district, or three hundred (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 (2) or more advertising signs may be grouped back to back, or in a single "V" having an inclined angle not greater than thirty (30) degrees, at a single location. The aggregate area of such signs at a single location facing generally in either direction shall not exceed five hundred (500) square feet and any such grouping of signs shall not exceed fifty (50) feet in length. These requirements for spacing shall not apply to wall signs or directional signs each of which is not over thirty-two (32) square feet in area.

(3) *Size.* No advertising sign shall exceed fifty (50) feet in length or five hundred (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 two hundred (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 one hundred (100) feet of such sign.
- c. No advertising sign shall be located closer than thirty (30) feet to the intersection of any two (2) street lines.
- d. No advertising sign shall be located nearer than fifty (50) feet to any residential zone measured along a common right-of-way.
- e. No advertising sign shall be located within six hundred sixty (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.
- f. Advertising signs conforming to all applicable provisions of this chapter may be erected within six hundred sixty (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 one hundred (100) feet of the right-of-way of such street. (Amend. Zoning Regs., § 46.19, 7-17-73)

**Sec. 39-894. Strip lighting.**

(a) 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.

(b) Strip lighting shall be prohibited in R-1A, R-1B, R-1C, R-1T, R-1P, R-2, R-2P, R-3, R-4, R-4A, T-1, D-1, R-2U, R-3U and B-1 districts.

(c) In the R-5, R-6, B-1, B-2, B-2A and B-2B 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 fifteen (15) millimeters and any transformer for strip lighting shall not be larger than thirty (30) milliamperes.

(d) In the B-3, C-1, M-1, M-2, M-3, M-4 and M-5 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.

(e) 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. (Amend. Zoning Regs., § 46.20, 7-17-73)

**Sec. 39-895. Illumination of signs.**

Neon type signs shall be prohibited in the R-1A, R-1B, R-1C, T-1T, R-1P, R-2, R-2P, R-3, R-4, R-4A, S-1, E-1, D-1, R-2U and R-3U districts. All signs permitted under this article may be illuminated except where specifically permitted as non-illuminated signs. (Amend. Zoning Regs., § 46.21, 7-17-73)

**Sec. 39-896. Bus benches.**

Benches or shelters containing advertising and located on private property shall comply with all zoning regulations applicable to signs. (Amend. Zoning Regs., § 46.22, 7-17-73)

**Sec. 39-897. Non-conforming signs.**

All non-conforming advertising signs, except as provided in section 39-893(4)e., shall be removed, or shall be altered so as to conform to the provisions of this article within three (3) years of the effective date of these regulations. (Amend. Zoning Regs., § 46.23, 7-17-73)

**Sec. 39-898. 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, R-1P, R-2, R-2P, D-1 and R-2U districts one such sign not exceeding thirty-two (32) square feet in 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 five hundred (500) square feet in area will be permitted for each street front, each such sign not to exceed twenty-five (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 sixty (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 sixty (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 fifteen (15) feet to any private property lines. (Amend. Zoning Regs., § 46.24, 7-17-73)

**Sec. 39-899. Signs in S-1 districts.**

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

- (1) Signs as permitted in section 39-881.
- (2) Directional, trespassing or caution signs shall be permitted, each of which shall be not over sixteen (16) square feet in area. Such signs may be of any type provided that no part of any such sign shall extend more than six (6) feet above grade.
- (3) No signs shall be advertising or animated signs.
- (4) No strip lighting shall be permitted.
- (5) No projecting or roof signs shall be permitted. (Amend. Zoning Regs., § 46.25, 7-17-73)

**Sec. 39-900. Sandwich signs prohibited.**

Sandwich signs, meaning signs supported by or standing upon the ground or upon a paved or surfaced area, and not attached to the ground or paved or surfaced area, are prohibited and not permissible in the unincorporated areas of Broward County. (Amend. Zoning Regs., § 46.26, 7-17-73)

**Sec. 39-901. Special service station sign height limit.**

Notwithstanding any other provision of this article a service station plot adjoining the right-of-way occupied by a freeway and/or its ingress or egress ramps, may have not more than one (1) ground sign exceeding twenty-five (25) feet in overall height above the ground, subject to the following limitations:

- (1) The overall height of such sign shall not exceed sixty (60) feet above the ground.
- (2) Such sign shall be located at least ten (10) feet from all plot lines.

- (3) There shall be no copy advertising symbols or sign face on such sign over twenty-five (25) feet above the ground except a horizontal flat or skeleton letter sign not over thirty (30) feet in horizontal dimension and five (5) feet in vertical dimension.
- (4) Such sign shall have no illumination over twenty-five (25) feet above the ground except on or in the sign limited and defined in paragraph (3) preceding. Such illumination shall not be of the flashing, intermittent or color-changing type.
- (5) Such sign shall have no animated, rotating or moving parts over twenty-five (25) feet above the ground. (Amend. Zoning Regs., § 46.27, 7-17-73)

**Secs. 39-902—39-911. Reserved.**

## **ARTICLE LI. EXCAVATION REGULATIONS**

### **Sec. 39-912. 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 backfill or grading of the premises. Excavation shall not include the creation of canals, waterways, and lakes incidental to real estate subdividing and development. (Amend. Zoning Regs., § 47.1, 7-17-73)

### **Sec. 39-913. Permits.**

(a) A permit for new excavations shall be obtained from the Building, Planning and Zoning Department of Broward County.

(b) After an original permit for an excavation has been issued, 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.

(c) Within thirty (30) days after this chapter 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:

- (1) The owners or operators of excavations existing at the time this chapter is adopted shall apply for an excavation permit within thirty (30) days after this chapter is officially adopted.
- (2) Section 39-917, location and section 39-918, protection, shall apply to excavations existing at the time this chapter is adopted.

(d) Yearly renewals of the excavation permit shall be granted to the owners and operators of excavations existing at the time this chapter is adopted, provided the applicable requirements are complied with.

(e) Any extension, beyond the excavation limits shown in each plat required by subsection (b) above to be filed with the building, planning and zoning department, shall be treated as a new excavation and shall, therefore, be subject to the full requirements of these regulations.

(f) Where excavation has been discontinued for a period of six (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. (Amend. Zoning Regs., § 47.2, 7-17-73)

**Sec. 39-914. Plans and surveys.**

Applications for original permits shall be accompanied by the following:

- (1) A plot plan to show the property owned or controlled by the applicant with reference to streets, highways and contiguous platted areas.
- (2) Cross sections to show approximate elevation and grades at the final outside boundaries of excavation.
- (3) A final grading plan to show the ground elevations of the land immediately adjacent to the side of the excavation and all of bounding streets or roads.
- (4) Upon completion of the excavation, and when there is a question that the excavation is in accordance with the plans approved, a topographical survey may be required showing elevations and cross sections of the final outside boundaries of each excavation at one hundred-foot intervals.
- (5) The plans, maps, elevations and cross sections required by this paragraph shall be made by a surveyor-engineer registered as such by the State of Florida. (Amend. Zoning Regs., § 47.3, 7-17-73)

**Sec. 39-915. Performance bond.**

The applicant for a permit for an excavation shall post a performance bond, which, effective January 1, 1974, shall be one thousand dollars (\$1,000.00) per acre, not to exceed one hundred thousand dollars (\$100,000.00) per excavation, conditioned upon complete compliance with the regulations of Broward County pertaining to the initiation, conduct and completion of excavations in a manner conforming to this chapter, within a period of not more than one (1) year after the excavation has been carried to the extent authorized by a valid permit, or after work on said excavation has been abandoned, or discontinued for a period of six (6) months or more. (Amend. Zoning Regs., § 47.4, 7-17-73)

**Sec. 39-916. Zoning limitations.**

(a) The use of heavy machinery for extraction and removal of natural material or deposits is permissible where such removal has been approved and authorized by permit.

(b) The land area exposed by the extraction and removal of natural material or deposits shall be left suitable for future use and development purposes in accordance with the final grading plan and in accordance with any zoning regulations applicable thereto.

(c) New excavation shall be a permissible use only in a zoning district wherein such use is permissible under this chapter, subject to the provisions of this article.

(d) An existing excavation for which a permit is issued pursuant to section 39-913 may be continued and extended pursuant to such permit and shall not be construed to be a non-conforming use. (Amend. Zoning Regs., § 47.5, 7-17-73)

**Sec. 39-917. Location.**

(a) No excavation shall be allowed within one hundred fifty (150) feet of the future right-of-way line for any street or highway, nor within fifty (50) feet of any private property line, provided, however, that an excavation may be extended to within not less than twenty-five (25) feet of future right-of-way line for street, or not less than twenty-five (25) feet of private property line if such excavation is clearly indicated on the plot for the excavation and the excavation is backfilled with suitable material to a distance not less than one hundred fifty (150) feet from the future street or highway line, or not less than fifty (50) feet from the private property line, as the case may be, provided, further, that the excavation, and slope if required, may commence at the common property line in the case of private property if waivers are secured from the abutting property owners.

(b) Within the territory described in section 39-65, trafficway frontage setbacks, paragraph (b), Territory for Setback Area Requirement, no excavation shall be allowed within two hundred twenty (220) feet of the future right-of-way line of any trafficway as defined in paragraph

(f), Trafficways Defined, of the aforesaid section 39-65; provided, however, that the excavation may be extended to within not less than twenty-five (25) feet of said future right-of-way line, if such excavation is clearly indicated on the plot plan for the excavation and the excavation is backfilled with suitable material to a distance not less than two hundred twenty (220) feet from the future right-of-way line. (Amend. Zoning Regs., § 47.6, 7-17-73)

#### **Sec. 39-918. Protection.**

During the excavating operations, the premises shall be suitably posted with warning signs of such character and location as may be adequate to warn the public concerning possible hazards. (Amend. Zoning Regs., § 47.7, 7-17-73)

#### **Sec. 39-919. Conduct of operations.**

(a) The grading, leveling and sloping of the final banks shall be on a progressive basis as the project develops and the excavation progresses.

(b) If sand is encountered during excavation, the vertical cut at the final bank shall be modified in such a manner that the required perimeter slope of one (1) vertical to five (5) horizontal will be sustained and maintained.

(c) 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. 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.

(d) During the entire operation, dynamite shall not be used except in accordance with state regulations.

(e) The hours of operation shall be limited to the period between the hours of 7:00 a.m. and 6:00 p.m. on weekdays.

(f) 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.

(g) All excavation access roads shall be well sprinkled to minimize dust, provided such sprinkling shall not be required five hundred (500) feet or more from a public street or highway. (Amend. Zoning Regs., § 47.8, 7-17-73)

**Sec. 39-920. Cleaning up and rehabilitation.**

(a) Upon completion of the project, the property shall be dressed up so that it will be left in a presentable condition.

(b) The perimeter of the excavation shall be properly backfilled and graded, provided that a slope of one (1) foot vertical shall be maintained for each three (3) feet horizontal from the perimeter into a minimum depth of five (5) feet of water at low water elevation.

(c) 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 plants, buildings, structures or equipment.

(d) 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. (Amend. Zoning Regs., § 47.9, 7-17-73)

**Sec. 39-921. Filling of excavations.**

Excavations may be filled if permit is obtained from the building, planning 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 to prevent objectionable odors and to prevent the operation from becoming 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 (1) foot of clear fill shall be provided so that the property shall be in a clean, presentable and sanitary condition.
- (3) That the owner of the property, and 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 unless such use conforms to all applicable zoning resolutions and conforms to any applicable regulation of the county health department. (Amend. Zoning Regs., § 47.10, 7-17-73)

**Secs. 39-922—39-931. Reserved.**

## **ARTICLE LII. RESERVED**

**Secs. 39-932—39-941. Reserved.**

## **ARTICLE LIII. ADMINISTRATION**

### **Sec. 39-942. Enforcement.**

The Building, Planning and Zoning Department of Broward County and all officers, inspectors and employees thereof shall enforce the provisions of this chapter. (Amend. Zoning Regs., § 49.1, 7-17-73)

**Sec. 39-943. Permits not to be issued.**

(a) 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 this chapter.

(b) No license or permit shall be issued by the building, planning 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 this chapter. (Amend. Zoning Regs., § 49.2, 7-17-73)

**Sec. 39-944. 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 this chapter. (Amend. Zoning Regs., § 49.3, 7-17-73)

**Sec. 39-945. 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. (Amend. Zoning Regs., § 49.4, 7-17-73)

**Sec. 39-946. 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. (Amend. Zoning Regs., § 49.5, 7-17-73)

**Sec. 39-947. 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 chapter, except for minor repairs or changes not involving any of the aforesaid features. (Amend. Zoning Regs., § 49.6, 7-17-73)

**Sec. 39-948. 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 therefor. (Amend. Zoning Regs., § 49.7, 7-17-73)

**Sec. 39-949. 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 chapter. (Amend. Zoning Regs., § 49.8, 7-17-73)

**Sec. 39-950. Temporary certificates.**

Nothing in this chapter 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 six (6) months, and provided further that such portion is in conformity with this chapter. (Amend. Zoning Regs., § 49.9, 7-17-73)

**Sec. 39-951. Record of certificates.**

A record of all certificates issued pursuant to the provisions of this chapter shall be kept on file in the office

of the building, planning 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. (Amend. Zoning Regs., § 49.10, 7-17-73)

**Sec. 39-952. Certificates for dwelling accessory to buildings.**

Buildings or structures accessory to a 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. (Amend. Zoning Regs., § 49.11, 7-17-73)

**Sec. 39-953. Record of non-conforming uses.**

All non-conforming uses existing at the effective date of this chapter shall be ascertained, identified and recorded for the purpose of effectuating the provisions of Article VII. (Amend. Zoning Regs., § 49.12, 7-17-73)

**Sec. 39-954. 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. (Amend. Zoning Regs., § 49.13, 7-17-73)

**Sec. 39-955. Procedure on violations.**

Where it is found that any of the provisions of this chapter 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, planning 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 chapter. (Amend. Zoning Regs., § 49.14, 7-17-73)

**Sec. 39-956. Duties of enforcers.**

The building, planning 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 chapter. (Amend. Zoning Regs., § 49.15, 7-17-73)

**Sec. 39-957. Right of entry.**

For the purpose of enforcing the provisions of this chapter, the officials and inspectors of the building, planning and zoning department 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 chapter. Any person refusing or obstructing such entry shall be guilty of a violation of this chapter. (Amend. Zoning Regs., § 49.16, 7-17-73)

**Secs. 39-958—39-967. Reserved.****ARTICLE LIV. ZONING BOARD****Sec. 39-968. Rules of procedure.**

(a) 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 chapter or other resolutions adopted by the county commission.

(b) 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. (Amend. Zoning Regs., § 50.1, 7-17-73)

**Sec. 39-969. Meetings.**

The zoning board shall hold at least one (1) meeting each month except August, and any additional or special

meetings that are approved in writing by a majority of its members or by the county commission. (Amend. Zoning Regs., § 50.2, 7-17-73)

#### **Sec. 39-970. Advisory service.**

The zoning board shall act in an advisory capacity to the commission and make such studies and investigations, in addition to these required by this chapter, as may be requested by the commission. (Amend. Zoning Regs., § 50.3, 7-17-73)

#### **Sec. 39-971. 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. (Amend. Zoning Regs., § 50.4, 7-17-73)

#### **Secs. 39-972—39-981. Reserved.**

### **ARTICLE LV. BOARD OF ADJUSTMENT**

#### **Sec. 39-982. Notification for variances.**

No variance shall be authorized by the board of adjustment upon appeal from the terms of this chapter 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 three hundred (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

one hundred (100) feet of the premises for which the variance is requested shall be notified of the hearing. (Amend. Zoning Regs., § 51.1, 7-17-73)

#### **Sec. 39-983. 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 chapter, notification shall be given to all owners of property directly contiguous to the premises which are involved in the appeal. (Amend. Zoning Regs., § 51.2, 7-17-73)

#### **Sec. 39-984. 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 ten (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. (Amend. Zoning Regs., § 51.3, 7-17-73)

#### **Sec. 39-985. 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 ten (10) days prior to each meeting. (Amend. Zoning Regs., § 51.4, 7-17-73)

#### **Sec. 39-986. Requirements for variances.**

No variance from the terms of this chapter 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 specie' 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 alleged 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 chapter.
- (3) That strict application of the provisions of this chapter 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. (Amend. Zoning Regs., § 51.5, 7-17-73)

**Sec. 39-987. Conditions and limitations.**

In authorizing any variance from the terms of this chapter, 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 chapter. (Amend. Zoning Regs., § 51.6, 7-17-73)

**Sec. 39-988. Time limit.**

Any variance authorized by the board of adjustment shall expire ninety (90) days after the date of action on such variance by the board unless a building permit based upon and incorporating the variance is used within the aforesaid ninety (90) day period. (Amend. Zoning Regs., § 51.7, 7-17-73)

**Sec. 39-989. District uses not listed.**

(a) 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 this chapter, 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.

(b) 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 39-990. (Amend. Zoning Regs., § 51.8, 7-17-73)

**Sec. 39-990. Notifications for special exceptions.**

In all cases of special exceptions under the terms of this chapter which the board of adjustment is required to hear and decide, all owners of property within three hundred (300) feet of the premises for which the special exception is requested shall be notified of the hearing in connection therewith. (Amend. Zoning Regs., § 51.9, 7-17-73)

**Sec. 39-991. 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 ten (10) feet in overall height above the ground or two hundred (200) square feet in area, nor shall such signs be located within one hundred (100) feet of any residential structure, provided that the aforesaid one hundred-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 two thousand five hundred (2,500) 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 this chapter.

- (5) Any such approval by the board shall be for a period not in excess of one (1) year, provided however, the board may give approval for successive periods, each period not exceeding one (1) 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 this chapter and shall be discontinued and removed forthwith. (Amend. Zoning Regs., § 51.10, 7-17-73)

**Secs. 39-992—39-1001. Reserved.**

## **ARTICLE LVI. AMENDMENTS**

### **Sec. 39-1002. 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 chapter or amendments thereto. (Amend. Zoning Regs., § 52.1, 7-17-73)

### **Sec. 39-1003. 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 interest 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. (Amend. Zoning Regs., § 52.2, 7-17-73)

**Sec. 39-1004. 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 chapter. (Amend. Zoning Regs., § 52.3, 7-17-73)

**Sec. 39-1005. Basis for recommendations.**

In reviewing and formulating recommendations to the commission on requested or proposed changes in this chapter, 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. (Amend. Zoning Regs., § 52.4, 7-17-73)

**Sec. 39-1006. Conditional rezoning**

No amendment to this chapter to rezone property shall contain conditions, limitations or requirements not applica-

ble to all other property in the zoning district to which the particular property is rezoned. (Amend. Zoning Regs., § 52.6, 7-17-73)

**Sec. 39-1007. Minimum size of parcel.**

Unless a parcel of land has at least one (1) acre of area the zoning board shall not consider any change of zoning to a category other than that of a property adjoining said parcel. (Amend. Zoning Regs., § 52.7, 7-17-73)

**Sec. 39-1008. Limit of petitions.**

(a) Whenever the zoning board and/or the county commission has taken action to deny a petition for the rezoning of 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 (2) years from the date of the latest such action by either the zoning board or the county commission.

(b) Whenever the zoning board and/or the county commission has taken action to deny a petition for the rezoning of property, the zoning board shall not consider a petition for any kind of zoning of any part of the same property for a period of one year from the date of the latest such action by either the zoning board or the county commission.

(c) 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 (6) months from the effective date of the amendatory resolution.

(d) The above time limits for zoning board consideration may be waived by the commission by the affirmative vote of four (4) commissioners, when the commission deems such action necessary to prevent an injustice or to facilitate the proper development of the county. (Amend. Zoning Regs., § 52.8, 7-17-73)

**Sec. 39-1009. Procedure for amendments.**

(a) A petition for rezoning may be filed by any citizen and must bear the notarized signatures of all owners of land included in the petitioned area.

(b) A petition for a change of district regulations may be filed by any citizen.

(c) Petitions for change of zoning or district regulations shall be addressed to the zoning board and shall be filed with the county planning department. Such petitions shall contain or be accompanied by all pertinent information which may be required by the zoning board or planning department for proper consideration of the matter.

(d) After consideration of petition for a change in zoning classification or in district regulations, the zoning board shall transmit the petition and the board's recommendations thereon to the commission.

(e) 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.

(f) 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. (Amend. Zoning Regs., § 52.10, 7-17-73)

#### **Sec. 39-1010. Hearings before zoning board.**

(a) Notice of hearings before the zoning board in connection with changes in zoning district classification or changes in district regulations under this chapter shall be published in a newspaper of general circulation in Broward County at least ten (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.

(b) Petitioners for changes in this chapter shall be given notice of hearing by letter addressed to such petitioner at the address given in such petitions, and mailed at least ten (10) days prior to date of hearing.

(c) In connection with hearings on petitions for change in the zoning district classification, all owners of property within three hundred (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 ten (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. (Amend. Zoning Regs., § 52.11, 7-17-73)

**Secs. 39-1011—39-1020. Reserved.**

## **ARTICLE LVII. LEGAL PROVISIONS**

### **Sec. 39-1021. Interpretation, purpose and conflict.**

In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare of the county. It is not intended by this chapter 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 chapter shall govern; and where the regulations of the other law, or resolution are more restrictive than those of this chapter, the other shall govern. (Amend. Zoning Regs., § 53.1, 7-17-73)

### **Sec. 39-1022. Validity.**

Should any article, section, paragraph, sentence, clause, phrase or other part of this chapter be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of the chapter as a whole, or any part thereof, other than the part so declared to be invalid. (Amend. Zoning Regs., § 53.2, 7-17-73)

### **Sec. 39-1023. Saving clause.**

Any prosecution arising from a violation of any resolution repealed by this chapter, which prosecution may be pending at the time this chapter becomes effective, or any prosecution which may be started within one (1) year after the effective date of this chapter in consequence of any violation of any resolution repealed therein, which violation

was committed prior to the effective date of this chapter shall be tried and determined exactly as if such resolution had not been repealed. (Amend. Zoning Regs., § 53.3, 7-17-73)

#### **Sec. 39-1024. Repeal.**

All resolutions or parts of resolutions in conflict with this chapter or inconsistent with the provisions of this chapter are hereby repealed to the extent necessary to give this chapter 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. (Amend. Zoning Regs., § 53.4, 7-17-73)

#### **Sec. 39-1025. Violations and penalties.**

(a) 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 chapter, shall upon conviction be punished as provided by law.

(b) Each day that a violation of this chapter is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this section. (Amend. Zoning Regs., § 53.5, 7-17-73)

#### **Sec. 39-1026. Immediate effect.**

This chapter 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. (Amend. Zoning Regs., § 53.6, 7-17-73)

#### **Secs. 39-1027—39-1036. Reserved.**

**ARTICLE LVIII. FLOOD CONTROL F-1 DISTRICTS****Sec. 39-1037. Purpose of district.**

The F-1, Flood control districts, are intended to apply to those areas of Broward County which through ownership or easement, the Central and Southern Florida Flood Control District has a right to use for flood control, drainage, reclamation, conservation, recreation, water storage and related purposes. The regulations of the F-1 Districts are designed to facilitate these primary objectives and to provide for the protection of public health, safety and welfare by limiting and controlling any other secondary uses of these areas. (Amend. Zoning Regs., § 54.1, 7-17-73)

**Sec. 39-1038. 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) Buildings, structures or topographic features constructed or used by the Central and Southern Florida Flood Control District for flood control, drainage, storage and conservation of water.
- (2) Hunting, fishing, boating and camping.
- (3) Sales, or rental of equipment and supplies for hunting, fishing, camping or other recreational purposes, as authorized by the Central and Southern Florida Flood Control District on land held by that district.
- (4) Hotels, motels, multiple dwellings, rooming, boarding or lodging houses, villas, courts or trailer parks as authorized by the Central and Southern Florida Flood Control District on land held by that district.
- (5) Parks and recreational facilities as authorized by the Central and Southern Florida Flood Control District on land held by that district, and other publicly owned park and recreational facilities.
- (6) Agricultural, farming or storage use on privately owned land which use the Central and Southern

Florida Flood Control District certifies can be made of such land without interference with the district's right to use for flood control and drainage purposes.

- (7) Accessory uses and structures. (Amend. Zoning Regs., § 54.2, 7-17-73)

### **Sec. 39-1039. Uses prohibited.**

The permissible uses enumerated in section 39-1038 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.
- (2) Warehouse or storage, except as permitted under section 39-1038(6).
- (3) Display, storage, sale or rental of merchandise except as permitted under section 39-1038(3).
- (4) Dwellings, except as accessory to a permitted use.
- (5) Hotels, motels, multiple dwellings, rooming, boarding or lodging houses, villas, courts or trailer parks except as permitted under section 39-1038(4).
- (6) Agricultural or farming, except as permitted under section 39-1038(6). (Amend. Zoning Regs., § 54.3, 7-17-73)

### **Secs. 39-1040—39-1049. Reserved.**

## **ARTICLE LIX. INSTITUTIONAL-EDUCATIONAL I-1 DISTRICTS**

### **Sec. 39-1050. Purpose.**

The I-1, institutional-educational district, is intended to apply to areas to be used for schools and educational institutions and other related activities by establishing and providing the proper environment for educational facilities through the grouping of educational, cultural and technological resources. (Amend. Zoning Regs., § 55.1, 7-17-73)

**Sec. 39-1051. 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, which shall be non-profit:

- (1) Art galleries
- Auditoriums
- Broadcasting studios, educational
- Churches, Sunday schools
- Clubs, fraternal or sororal
- Conservatories, art and music
- Convents, parish house, rectory
- Museums

State accredited schools and schools offering courses of study leading to an academic degree and meeting the requirements of the Southern Association of Colleges, and Secondary Schools, such as:

- Primary and secondary schools
- Colleges and universities
- Public, trade and vocational schools
- Military
- Preparatory
- Boarding

- (2) Housing for employees and/or students of a school, educational institution or other use permitted in I-1 districts.
- (3) Accessory uses and structures. (Amend. Zoning Regs., § 55.2, 7-17-73)

**Sec. 39-1052. Uses prohibited.**

The permissible uses enumerated in section 39-1051 above shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

- (1) All trade or vocational schools operated for profit, including:
  - Art classes
  - Barber college

Dancing school or academy  
Driving school  
Flying school  
Heavy equipment school  
Horsemanship school  
Karate schools  
Scuba diving schools  
Swimming schools  
Water skiing schools  
Welding schools

- (2) Business, commercial or industrial uses. (Amend. Zoning Regs., § 55.3, 7-17-73)

**Sec. 39-1053. Size of plot.**

No plot shall be less than ten (10) acres in area. (Amend. Zoning Regs., § 55.4, 7-17-73)

**Sec. 39-1054. Yards.**

There shall be front, side and rear yards at least twenty-five (25) feet in depth or width adjacent to all plot lines, provided any part of a building or structure which exceeds twenty-five (25) feet in height shall be located at least one foot additional for each foot of height of building or structure above twenty-five (25) feet. (Amend. Zoning Regs., § 55.5, 7-17-73)

**Sec. 39-1055. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding one hundred (100) feet, except that a steeple or tower may extend to a height of two hundred (200) feet, and provided transmitting or receiving antennae may extend to a height of three hundred (300) feet. (Amend. Zoning Regs., § 55.6, 7-17-73)

**Sec. 39-1056. Parking.**

(a) There shall be no accessory parking in required front, side, or rear yards.

(b) Parking areas shall be paved with a dust-free, all-weather surface. (Amend. Zoning Regs., § 55.7, 7-17-73)

**Secs. 39-1057—39-1066. Reserved.**

## **ARTICLE LX. INDUSTRIAL PARK M-1A DISTRICT**

### **Sec. 39-1067. Purpose of district.**

The M-1A, industrial park district, is intended to provide a restricted light industrial district for research, development and manufacture of small products making the use of processes of manufacturing not likely to be objectionable to neighboring properties because of noise, vibration, odors, smoke, air pollution or other physical manifestations. The development standards in M-1A districts are intended to assure an open, uncrowded and attractive appearance through limitations on yards, setbacks, coverage and location of incidental activities. (Amend. Zoning Regs., § 56.1, 7-17-73)

### **Sec. 39-1068. 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) 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  
Silverware  
Spices and spice packing  
Stationery  
Shoes  
Television, radio and phonograph

- (2) 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, such as:

Artificial flowers, feathers or plumes  
Rags  
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

Provided, that any machine utilizing any motor of more than twenty (20) horsepower shall be operated inside of a fully enclosed, air-conditioned building.

- (3) Any of the following:

Bakery  
Cutting or blending of liquor  
Electroplating  
Motion picture studio  
Pattern making  
Printing, publishing, lithography and engraving  
Stamping, dieing, shearing or punching of metal not over  $\frac{1}{8}$  inch in thickness incidental to other manufacturing processes  
Tool, die and gauge shop  
Transformer and electrical switching station

- (4) Educational, scientific and industrial research.
- (5) Accessory uses and structures, including living quarters accessory to a permitted use. (Amend. Zoning Regs., § 56.2, 7-17-73)

#### **Sec. 39-1069. Uses prohibited.**

The permissible uses listed in section 39-1068 preceding, 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, M-3 or M-4 district.
- (2) Foundry
- (3) Drop forging
- (4) Stamping, dieing, shearing or punching of metal exceeding one-eighth ( $\frac{1}{8}$ ) 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.
- (14) Warehouse or storage buildings, except as incidental to a permitted use.
- (15) Retail stores, business offices and services.
- (16) Advertising signs, billboards or roof signs. (Amend. Zoning Regs., § 56.3, 7-17-73)

#### **Sec. 39-1070. Height.**

No building or structure shall be erected or altered to a height of exceeding one hundred feet except that radio antenna towers may be erected to a height not exceeding two hundred (200) feet. (Amend. Zoning Regs., § 56.4, 7-17-73)

#### **Sec. 39-1071. Plot size.**

Every plot shall be not less than one hundred feet in width and not less than twenty thousand (20,000) square feet in area. (Amend. Zoning Regs., § 56.5, 7-17-73)

#### **Sec. 39-1072. Setbacks.**

(a) No building or roofed structure shall be located less than fifty (50) feet from any street line nor less than twenty-five (25) feet from any plot line other than a street line.

(b) No more than one-half of the depth of any required setback area measured from a street line or a plot line, as the case may be, may be used for parking, and such parking shall be located on the half of the required setback area away from the street or plot line.

(c) All required setback areas except where used for permitted parking, shall be landscaped. A required landscaped area shall not be crossed by more than the minimum of walkways and driveways necessary for access to the building.

(d) Signs, light standards and fences shall be permitted in required setback areas as hereinafter specified. (Amend. Zoning Regs., § 56.6, 7-17-73)

**Sec. 39-1073. Fences.**

All fences and walls shall be constructed of concrete, masonry or metal. Metal fences shall be of the open weave, chain link type. Fences and walls shall not exceed ten (10) feet in height adjacent to non-residential property nor exceed eight (8) feet in height adjacent to residential property. Fences and walls shall not be located within any required setback area on a street. No barbed wire shall be used except on brackets entirely within the area enclosed. (Amend. Zoning Regs., § 56.7, 7-17-73)

**Sec. 39-1074. Lighting.**

(a) All light standards shall be constructed of masonry or metal.

(b) All necessary exterior lighting on the plot shall be so installed as not to cause any nuisance to adjoining residential areas. (Amend. Zoning Regs., § 56.8, 7-17-73)

**Sec. 39-1075. Loading and unloading.**

All loading docks and areas for receipt, dispatch and handling of products, materials, equipment and supplies shall not be located on the street sides of buildings, but shall be located on the side or rear of buildings, unless effectively screened from direct view at ground level from any street. (Amend. Zoning Regs., § 56.9, 7-17-73)

**Sec. 39-1076. Storage.**

There shall be no open outside storage of materials, supplies, products, equipment or machinery, except automotive vehicles, unless area used for such outside storage is effectively screened from direct view at ground level from any street. (Amend. Zoning Regs., § 56.10, 7-17-73)

**Sec. 39-1077. Signs.**

(a) Signs of the directional or caution type shall be permitted of ground, flat or projecting type. No such sign shall exceed eight (8) square feet in area. No such sign constructed as a ground sign shall extend over five (5) feet above the ground and no such sign constructed as a projecting sign shall project more than four (4) feet beyond its supporting building nor extend more than eight (8) feet above the ground.

(b) Signs identifying the owner, operator, or character of the industry or use, and its activities or products shall be of the wall or ground type. No such ground sign shall exceed eight (8) feet in overall height above the ground, twenty (20) feet in length or one hundred sixty (160) square feet in area.

(c) No signs shall be animated or provided with intermittent or flashing illumination.

(d) No signs shall be permitted except as specified in this section. (Amend. Zoning Regs., § 56.11, 7-17-73)

**Sec. 39-1078. Coverage.**

The area of the plot occupied by buildings and roofed structures shall not exceed thirty-three and one-third ( $33 \frac{1}{3}$ ) per cent of the plot area. (Amend. Zoning Regs., § 56.12, 7-17-73)

**Sec. 39-1079. Developmental standards.**

(a) All developed property shall be landscaped, improved and maintained in full conformity with all applicable requirements of these regulations.

(b) Undeveloped property shall be well graded and free from underbrush and objectionable plant growth. Undeveloped property shall be mowed periodically as necessary to control natural grass growth.

(c) All property shall be kept clean and free from rubbish or debris.

(d) All planted and landscaped areas shall be maintained in a neat, orderly, healthy, growing and properly trimmed condition.

(e) All buildings and structures shall be kept properly painted and protected from deterioration and shall not be permitted to become dilapidated.

(f) All driveways, walkways, parking areas, storage and loading areas of developed property shall be well graded and surfaced with asphaltic concrete or other equivalent hard, dustless materials. (Amend. Zoning Regs., § 56.13, 7-17-73)

**Secs. 39-1080—39-1089. Reserved.**

## **ARTICLE LXI. PLANNED APARTMENT R-4B DISTRICT**

### **Sec. 39-1090. 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, two-family and multiple-family dwellings.
- (2) Accessory uses and structures. (Amend. Zoning Regs., § 57.1, 7-17-73)

### **Sec. 39-1091. Uses prohibited.**

The permissible uses enumerated in section 39-1090 above shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

- (1) Hotel, motel, rooming or boarding house.
- (2) Hospital, sanitarium, nursing home, convalescent home.
- (3) Orphanages, institutions for the aged, indigent or infirm.
- (4) Institutions of an educational, philanthropic or eleemosynary character. (Amend. Zoning Regs., § 57.2, 7-17-73)

**Sec. 39-1092. Size of plot.**

Every plot shall be not less than five (5) acres in area. (Amend. Zoning Regs., 57.3, 7-17-73)

**Sec. 39-1093. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding four (4) stories or fifty (50) feet. (Amend. Zoning Regs., § 57.4, 7-17-73)

**Sec. 39-1094. Plot coverage.**

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

<i>Height</i>	<i>Per cent</i>
One Story	35
Two Story	30
Three Story	30
Four Story	25

(Amend. Zoning Regs., § 57.5, 7-17-73)

**Sec. 39-1095. Street yards.**

(a) Where a street separates the plot from a single-family district, there shall be a street yard on the plat adjacent to such street not less than thirty-five (35) feet in width or depth.

(b) Where a street separates the plot from non-residentially zoned property, there shall be a street yard on the plot adjacent to such street not less than twenty-five (25) feet in width or depth. (Amend. Zoning Regs., § 57.6, 7-17-73)

**Sec. 39-1096. Setbacks.**

(a) When the plot abuts residentially zoned property and no waterway separates the plot from the abutting property, then buildings within the plot shall be no closer than fifteen (15) feet plus one (1) foot for every one (1) foot of building

height in excess of ten (10) feet, to the abutting property. When the plot abuts non-residentially zoned property, and no street or waterway separates the plot from the abutting property, then buildings within the plot shall be no closer than twenty-five (25) feet to the abutting property.

(b) When the plot is separated from the abutting property by a waterway at least sixty (60) feet in width, regardless of whether the abutting property is residential or non-residential, then buildings within the plot shall have a minimum setback of twenty-five (25) feet regardless of height. (Amend. Zoning Regs., § 57.7, 7-17-73)

#### **Sec. 39-1097. Plot area per room.**

Every plot shall provide a plot area per room of not less than the following:

<i>Size of dwelling unit</i>	<i>Square feet of plot area</i>
One room	700
Two rooms	500
Three rooms	400
Four rooms	350
Each additional room over four rooms	300

(Amend. Zoning Regs., § 57.8, 7-17-73)

#### **Sec. 39-1098. Minimum floor area.**

Each dwelling unit shall have not less than the following floor area:

Efficiency apartment	500 square feet
1 bedroom apartment	700 square feet
2 bedroom apartment	900 square feet
3 or more bedroom apartment	1050 square feet

(Amend. Zoning Regs., § 57.9, 7-17-73)

#### **Sec. 39-1099. Special yard requirements.**

Notwithstanding any other provision of this chapter, the following requirements shall apply on all plots in R-4B districts:

- (1) No part of any street yard within twenty-five (25) feet of any street shall be used for parking.
- (2) No fence or hedge over two (2) feet in height shall be located within twenty-five (25) feet of any street line.
- (3) No accessory building or roofed structure shall be located in any required street yard.
- (4) No accessory building or roofed structure shall be located within twenty-five (25) feet of any side or rear plot line. (Amend. Zoning Regs., § 57.10, 7-17-73)

#### **Sec. 39-1100. Building separation.**

The minimum distance between any two (2) buildings on the plot shall be fifteen (15) feet or three-fourths ( $\frac{3}{4}$ ) the height of the higher of the two (2) buildings, whichever may be greater. (Amend. Zoning Regs., § 57.11, 7-17-73)

#### **Sec. 39-1101. Off-street parking.**

Off-street parking shall conform to section 39-143(2) amount of off-street parking. (Amend. Zoning Regs., § 57.12, 7-17-73)

#### **Sec. 39-1102. Site development plan.**

(a) No building or structure shall be erected or altered, or land or water used, or any change of use consummated, nor shall any building permit be issued therefor, unless and until a site development plan for such building, structure and/or use shall have been checked by the enforcing official and by the Broward County Building, Planning and Zoning Department for conformity with this chapter.

(b) The site development plan shall include in proper form, detail, dimension and scale, the following:

- (1) The location, character, size and height of all buildings, structures and uses on the plot, including walls or fences.
- (2) Location, character and enclosure of all outside facilities for waste storage and disposal.

- (3) All curb cuts, driveways, parking areas, loading areas.
- (4) All pedestrian walkways, walls, yards and landscaping.
- (5) Location, size, character, height and orientation of all signs other than flat or marquee signs.
- (6) Landscaping.

(c) The site development plan shall conform to all applicable provisions of this chapter in such a way as to provide a design and arrangement of pertinent features and elements of the development and use of the plot which will:

- (1) Protect and minimize any undesirable effects upon contiguous and nearby residential property.
- (2) Provide sufficient off-street parking and loading facilities so that use of streets in the vicinity for this purpose will not be unavoidable.
- (3) Provide sufficient setbacks and yard spaces adjacent to streets and to residentially zoned property, with adequate landscaping in such yard and setback areas, in order to protect the appearance and character of the neighborhood.
- (4) Provide sufficient walls, fences, enclosures and/or hedges to prevent or minimize effects of noise, glare, odors, smoke, soot, upon surrounding residential property. (Amend. Zoning Regs., § 57.13, 7-17-73)

**Sec. 39-1103. Maintenance.**

(a) All setback areas, yards, walkways, driveways and parking areas shall be maintained in a neat and clean condition, free of refuse and debris.

(b) All landscaped areas shall be maintained in a live, healthy and growing condition, properly watered and trimmed. Any planting of grass, shrubs or trees which becomes dead or badly damaged shall be replaced with similar sound, healthy plant materials. (Amend. Zoning Regs., § 57.14, 7-17-73)

**Secs. 39-1104—39-1113. Reserved.**

**ARTICLE LXII. RECREATIONAL VEHICLE  
RV-1 DISTRICT**

**Sec. 39-1114. Purpose of district.**

The RV-1, recreational vehicle district, is intended to apply to areas for the temporary and transitory placement or parking of occupied recreational vehicles while in use for pleasure, travel or recreation. (Amend. Zoning Regs., § 58.1, 7-17-73)

**Sec. 39-1115. 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) Campgrounds providing sites for recreational vehicles on a rental basis.
- (2) Accessory uses and structures.
- (3) Display and sale of recreational vehicles on an area contained within the campgrounds utilizing up to one (1) per cent of the land area within the campground. If the adjacent frontage on the principal access to the campground is a residential use, or if a residential use exists contiguous to the sides or the rear of the campgrounds, the sale area shall be removed two hundred (200) feet from the access frontage and shall be no nearer than two hundred (200) feet to any adjacent zoned residential property. (Amend. Zoning Regs., § 58.2, 7-17-73)

**Sec. 39-1116. Special accessory use.**

A recreational vehicle campground having fifty (50) or more recreational vehicle sites may have retail stores or personal service shops for the care or treatment of the occupants and/or their personal effects subject to the following limitations and requirements:

- (1) Such uses are entirely conducted within a completely enclosed building.
- (2) There are no signs or displays indicating such uses, visible from any street or from any other private property.
- (3) Such uses are conducted solely for the conveniences of the occupants of the campgrounds and are not normally made available to other persons and the structure shall be located so that it discourages such outside use. (Amend. Zoning Regs., § 58.3, 7-17-73)

**Sec. 39-1117. Uses prohibited.**

The permissible uses enumerated in sections 39-1115 and 39-1116 above shall not be construed to include, either as a principal or accessory use, any of the following which are listed for emphasis:

- (1) Display or sale of mobile homes or motor vehicles.
- (2) Storage of unoccupied recreational vehicles, except the recreational vehicles may be vacant if they are set up on a regular site.
- (3) Use of Florida rooms, utility closets, patios, carports or other additions or attachments not constructed of cloth or canvas on a metal frame.
- (4) Tent houses or other permanent structures except for permitted accessory uses. (Amend. Zoning Regs., § 58.4, 7-17-73)

**Sec. 39-1118. Plot size.**

Every plot used for a recreational vehicle campground shall be not less than ten (10) acres in area and not less than three hundred (300) feet in any dimension. (Amend. Zoning Regs., § 58.5, 7-17-73)

**Sec. 39-1119. Site size.**

Each rental site for a recreational vehicle shall be at least one thousand five hundred (1,500) square feet in area with at least one dimension of fifty (50) feet. (Amend. Zoning Regs., § 58.6, 7-17-73)

**Sec. 39-1120. Site access.**

Each site to accommodate a recreational vehicle shall abut upon and be accessible from a driveway or road not less than thirty (30) feet in width with a surface top finish not less than twenty (20) feet in width. (Amend. Zoning Regs., § 58.7, 7-17-73)

**Sec. 39-1121. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding two (2) stories or thirty (30) feet. (Amend. Zoning Regs., § 58.8, 7-17-73)

**Sec. 39-1122. Perimeter strip.**

There shall be a perimeter strip surrounding the entire campground of at least fifty (50) feet. This perimeter strip shall be fenced and landscaped in order to provide visual and noise separation from the adjacent property. No facility, either recreational, sanitary, commissary, or sales facility shall be allowed within this perimeter strip although the innermost thirty (30) feet of this strip may be utilized for access to sites as provided in section 39-1120. On any side of the campground in which a natural or artificial barrier of at least fifty (50) feet in width already exists, such as a limited-access highway or a lake or river, no such strip shall be required. (Amend. Zoning Regs., § 58.9, 7-17-73)

**Sec. 39-1123. Separation.**

No part of any recreational vehicle or any addition or appurtenance thereto shall be placed within ten (10) feet of any other recreational vehicle or addition or appurtenance thereto. No parts shall be located within twenty-five (25) feet of any accessory or service building or structure used in connection with a recreational vehicle campground. (Amend. Zoning Regs., § 58.10, 7-17-73)

**Sec. 39-1124. Health and sanitation.**

(a) *Sanitary facilities.* Each campground shall provide adequate sanitary facilities in a permanent building located

not more than three hundred (300) feet from any site. Adequate sanitary facilities shall be not less than the following:

- (1) For males, two (2) urinals, three (3) water closets, three (3) showers and three (3) washbasins for each fifty (50) sites.
- (2) For females, three (3) water closets, three (3) wash basins and three (3) showers for each fifty (50) sites.
- (3) At least two (2) laundry tubs or automatic washers and dryers for each fifty (50) sites.
- (4) Hot and cold running water shall be supplied for all sanitary facilities.

(b) *Water supply.* There shall be no less than one (1) running water spigot for each two (2) sites and there shall be such a spigot not more than twenty-five (25) feet from any site.

(c) *Refuse.* A covered rubbish and garbage container of at least twenty (20) gallon capacity shall be provided for each camping site. Provisions shall be made by the operator of the campground for removal of all refuse and garbage from the campground not less than three (3) times a week.

(d) *Health department requirements.* The construction, operation and maintenance of a campground shall comply in all respects with the requirements of the Broward County Health Department. (Amend. Zoning Regs., § 58.11, 7-17-73)

#### **Sec. 39-1125. Electrical service.**

Each site shall be provided with at least one (1) electrical receptacle having 110/115 volt alternating electrical current. (Amend. Zoning Regs., § 38.12, 7-17-73)

#### **Sec. 39-1126. Recreational area required.**

Every plot used for a recreational vehicle campground shall have at least one (1) outdoor recreational area which shall be easily accessible from all sites. Such recreational area shall contain at least two hundred fifty (250) square

feet per acre contained within the campground, and no single recreational area within the campground shall be less than three thousand (3,000) square feet. (Amend. Zoning Regs., § 58.13, 7-17-73)

**Sec. 39-1127. Animals.**

No owner or person in charge of a dog or cat or other pet animal shall permit it to run loose within the campgrounds. All pets must be restrained on a leash. (Amend. Zoning Regs., § 58.14, 7-17-73)

**Sec. 39-1128. Definitions.**

Recreational vehicle campground shall be defined as a place where sites are rented for placement and use of recreational vehicles for temporary transitory occupancy for sleeping and living quarters. Recreational vehicle campground includes necessary sanitary and utility facilities and permitted accessory uses. (Amend. Zoning Regs., § 58.15, 7-17-73)

**Sec. 39-1129. Maximum length of stay.**

No recreational vehicle shall be located in any given campground for more than sixty (60) days during any six (6) month period. (Amend. Zoning Regs., § 58.16, 7-17-73)

**Secs. 39-1130—39-1139. Reserved.****ARTICLE LXIII. AGRICULTURAL ESTATE  
E-2 DISTRICTS****Sec. 39-1140. Purpose of district.**

The E-2, agricultural estate district, is intended to apply to areas to be used for single-family dwellings on plots of one and eight-tenths (1.8) acres or more, with vocational agricultural use of the land permitted. (Amend. Zoning Regs., § 59.1, 7-17-73)

**Sec. 39-1141. Uses permitted.**

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

- (1) Any use permitted in an R-1A district, subject to the limitations and requirements specified for such use in section 39-329.
- (2) Uses accessory to any of the above uses when located on the same plot and not involving the conduct of any business or trade including:
  - a. Guest house for gratuitous guests.
  - b. Servants' quarters.
  - c. Keeping of fowl not exceeding twenty-five (25) in total number, provided such poultry or fowl are kept in an enclosure which is located at least fifty (50) feet from any plot line.
  - d. Keeping of horses and cows not exceeding one animal for each ten thousand (10,000) square feet of plot area. Any roofed structure for shelter of such animals shall be located at least fifty (50) feet from any plot line. No feedlot or storage of animals shall be permitted.
- (3) Accessory uses on a minimum size plot:
  - a. Home occupation and office of doctor, dentist, architect, engineer, or similar professional office utilizing not over twenty-five (25) per cent of the floor space of the one-family dwelling occupied by the professional man.
  - b. Grove, produce farm, truck garden, horticultural farming, botanical garden, floriculture, plant nursery, sod farming, crop raising, hydroponic garden, greenhouse and slat house.
  - c. Wayside stands for display or sale of farm products produced on the premises.

(4) Accessory uses on a plot that exceeds four and five-tenths (4.5) acres in area shall include the following:

- a. Cattle or stock grazing, private riding instructions, training or breeding horses, boarding stable but excluding hog raising. One (1) animal permitted per ten thousand (10,000) square feet of plot area, plus one (1) additional animal per ten thousand (10,000) square feet of plot area, if sheltered. All structures for the housing of animals shall be at least fifty (50) feet from any property line. (Amend. Zoning Regs. § 59.2, 7-17-73)

**Sec. 39-1142. Size of plot.**

Every plot shall be not less than one hundred twenty-five (125) feet in width and contain not less than eighty thousand (80,000) square feet in area. (Amend. Zoning Regs., § 59.3, 7-17-73)

**Sec. 39-1143. Plot coverage.**

The combined area occupied by all buildings and roofed structures shall not exceed ten (10) per cent of the area of the plot. (Amend. Zoning Regs., § 59.4, 7-17-73)

**Sec. 39-1144. Height.**

No building or structure shall be erected or altered to a height exceeding two (2) stories. (Amend. Zoning Regs., § 59.5, 7-17-73)

**Sec. 39-1145. Front yard.**

Every plot shall have a front yard not less than fifty (50) feet in depth. (Amend. Zoning Regs., § 59.6, 7-17-73)

**Sec. 39-1146. Side yards.**

Every plot shall have a side yard on each side, each of which shall be not less than twenty-five (25) feet in width, provided that the required side yard shall be increased by

one foot for each one foot in height of the structure exceeding twenty-four (24) feet. (Amend. Zoning Regs., § 59.7, 7-17-73)

**Sec. 39-1147. Rear yard.**

Every plot shall have a rear yard not less than twenty-five (25) feet in depth. (Amend. Zoning Regs., § 59.8, 7-17-73)

**Sec. 39-1148. Minimum floor area.**

A one-family dwelling as a principal use shall have a minimum floor area of one thousand five hundred (1,500) square feet. (Amend. Zoning Regs., § 59.9, 7-17-73)

**Sec. 39-1149. Accessory use setbacks.**

Accessory use structures shall observe the same setbacks, (side, front and rear) as the principal uses. (Amend. Zoning Regs., § 59.10, 7-17-73)

**Secs. 39-1150—39-1159. Reserved.**

**ARTICLE LXIV. MOBILE HOME PARK T-1A, T-1B  
AND T-1C DISTRICTS**

**Sec. 39-1160. Purpose of districts.**

The T-1A, T-1B and T-1C, mobile home park districts, are intended to apply to areas to be used for the parking or placement of mobile homes for occupancy as living quarters. (Amend. Zoning Regs., § 60.1, 7-17-73)

**Sec. 39-1161. 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 (1) or more of the following specified uses:

- (1) Mobile home parks for rental of lots for occupancy by mobile homes as living quarters, wherein the mobile home park is owned and/or operated as a unit.

- (2) Condominium mobile home parks.
- (3) Mobile home parks involving the sale of mobile home lots for occupancy by mobile homes as living quarters, wherein individual lots within the mobile home park are owned separately.
- (4) A mobile home park providing space for forty (40) or more mobile homes may have retail stores and personal service shops for the care or treatment of the occupants or their clothing, subject to the following limitations and requirements.
  - a. Such uses are wholly conducted within a completely enclosed building.
  - b. There are no signs or displays visible from any public street, indicating such uses.
  - c. Such uses are conducted for the convenience of occupants of the mobile home park and not normally made available to other persons.
- (5) The sale, by its owner or licensed dealer, of used mobile homes on lots presently or previously occupied by the owner of such mobile home. The sale of new mobile homes by a licensed dealer on a sales lot not to exceed five (5) per cent of the gross area of the park, for delivery within the park.
- (6) A centralized storage area designed to serve the residents of the park, which must be fenced and screened from view. (Amend. Zoning Regs., § 60.2, 7-17-73)

#### **Sec. 39-1162. Prohibited uses.**

The permissible uses enumerated in section 39-1161(2) and (3) shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

- (1) Display or sale of used mobile homes, except an occupied mobile home, or any unoccupied mobile home previously occupied on the same lot, may be sold on that lot by its owner or licensed dealer.

- (2) Any service station, service or repair garage.
- (3) No secondhand or used merchandise shall be offered for sale, displayed or stored on the premises except as incidental to the bona fide sale of a mobile home.
- (4) No animals, reptiles, insects, poultry or fowl shall be raised or kept in any mobile home park, provided no more than two (2) house pets may be kept in each mobile home.
- (5) Dwelling units or living quarters except in a mobile home or as an accessory use.
- (6) A separate utility building on any mobile home lot except for a demountable, code-approved storage-closet.
- (7) No cooking or sanitary facilities shall be installed or maintained on any mobile home lot in any building or structure other than in the mobile home.
- (8) Storage or parking of mobile homes except when a mobile home is located on a lot preparatory to occupancy or between periods of occupancy.
- (9) Storage or parking of commercial vehicles.
- (10) Dwellings other than mobile homes. (Amend. Zoning Regs., § 60.3, 7-17-73)

**Sec. 39-1163. Plot size.**

Every plot shall be not less than twenty-five (25) acres in area. (Amend. Zoning Regs., § 60.4, 7-17-73)

**Sec. 39-1164. Height.**

No building or structure, or part thereof, shall be erected or altered to a height exceeding thirty (30) feet, or two (2) stories, and mobile homes shall not exceed twelve (12) feet. (Amend. Zoning Regs., § 60.5, 7-17-73)

**Sec. 39-1165. Minimum lot requirements.**

A mobile home consisting of one or more units designed as a single dwelling shall be placed upon a lot not less than

forty-five (45) feet in width and sixty-five (65) feet in depth. (Amend. Zoning Regs., § 60.6; 7-17-73)

**Sec. 39-1166. Yards.**

Every plot used for mobile home park purposes shall provide a perimeter yard ten (10) feet in width, except that a front yard of twenty-five (25) feet shall be required where the plot abuts residentially zoned land. Each mobile home lot shall provide a side yard five (5) feet in width and a rear yard ten (10) feet in depth. (Amend. Zoning Regs., § 60.7, 7-17-73)

**Sec. 39-1167. Access to lots.**

Each mobile home lot shall front on a street fifty (50) feet in width, with pavement not less than twenty-two (22) feet in width. (Amend. Zoning Regs., § 60.8, 7-17-73)

**Sec. 39-1168. Porches and additions.**

Structures of a permanent nature added or attached to a mobile home, such as enclosed porches, screened enclosures, storage closets and carports, shall conform to all applicable provisions of the Broward County Building Code. The total combined area of all such additions except carports shall not exceed the gross area of the mobile home itself. (Amend. Zoning Regs., § 60.9, 7-17-73)

**Sec. 39-1169. Utilities requirements.**

Each lot shall be supplied with water, sewer, electrical and telephone connections with the service of such utilities to be underground. (Amend. Zoning Regs., § 60.10, 7-17-73)

**Sec. 39-1170. Limitations and special requirements.**

No permit for the construction of a mobile home park shall be issued by the building, planning and zoning department unless and until the land area to be developed has been subdivided by a recorded plat. For the purpose of this district, the plat may contain private streets not less

than fifty (50) feet in width and an easement for utility purposes shall be dedicated on all private streets. (Amend. Zoning Regs., § 60.11, 7-17-73)

**Sec. 39-1171. Density limit.**

Notwithstanding any of the provisions of this regulation, no mobile home park shall be developed to a density exceeding:

- (1) Six (6) dwelling units per acre of gross area—T-1A
- (2) Eight (8) dwelling units per acre of gross area—T-1B
- (3) Ten (10) dwelling units per acre of gross area—T-1C.  
(Amend. Zoning Regs., § 60.12, 7-17-73)

**Sec. 39-1172. Recreation facilities.**

All mobile home parks shall provide recreation facilities not less than six (6) per cent of the gross area. Yard space shall not be included in the calculation of this area. Lakes and waterways may be used to satisfy up to one-third (1/3) of this requirement. At least one (1) land recreation area of not less than two (2) acres shall be provided in any park. (Amend. Zoning Regs., § 60.13, 7-17-73)

**Secs. 39-1173—39-1182. Reserved.**

**ARTICLE LXV. PLANNED UNIT  
DEVELOPMENT (PUD) DISTRICT**

**Sec. 39-1183. Objectives.**

In order to promote the planned growth of viable new communities, allow greater freedom of design, improve the opportunity for flexibility and creativity in land development, limit the expenditure of public funds, and achieve the intent of land use regulations, this district is established to:

- (1) Encourage provision of planned residential communities (along with supporting commercial and industrial uses); planned commercial centers; planned industrial

parks; or other special uses containing a variety of structures and diversity of building arrangements, when authorized in accordance with an approved comprehensive development plan;

- (2) Allow diversification of uses, structures and open spaces when not in conflict with existing and permitted land uses on abutting properties;
- (3) Reduce improvement costs through a more efficient use of land and a smaller network of utilities and streets than is possible through application of standards contained in conventional land development regulations;
- (4) Conserve the natural amenities of the land by encouraging the preservation and improvement of scenic and functional open spaces;
- (5) Provide maximum opportunity for application of innovative site planning concepts to the creation of aesthetically pleasing environments for living, shopping and working on properties of adequate size, shape and location;
- (6) Insure that development will occur according to limitations of land use, site design, population density, building coverage, improvement standards, and construction phasing authorized through approval of a comprehensive development plan. (Amend. Zoning Regs., § 61.1, 7-17-73)

#### **Sec. 39-1184. Definitions.**

*Inclusions:* As used in these regulations, words in the singular shall include the plural and those in the plural include the singular. The word "person" includes a corporation, unincorporated association and a partnership, as well as an individual. The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof." The word "street" includes any name commonly used for a roadway. The word "watercourse" includes channel, creek, ditch, dry run, spring, stream and

canal, but does not include a lake, pond or pool without outlet. The word "may" is permissive; the word "shall" is mandatory and not merely directory.

**Block:** Means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having assigned numbers, letters or other names through which it may be identified.

**Building:** Shall mean any roofed structure, open or including all floor area within supporting construction members.

**Building, enclosed:** Shall mean a building completely enclosed on all sides.

**Common open space:** Shall mean a parcel or parcels of land, or a combination of land and water within the site designated as a planned unit development, and designed and intended for the use or enjoyment of residents of the planned unit development. All common open space shall be improved to complement the residential uses and may contain compatible and complementary structures for the benefit and enjoyment of the residents of the planned unit development.

**County:** Shall mean the unincorporated area of the County of Broward, Florida, or the Board of County Commissioners of Broward County, as may be appropriate in the context where such word appears.

**Developer:** A person, or his agent, who is responsible for the planning, subsequent land improvement, and development of a parcel of land.

**Lot:** A tract or parcel of land identified as a single unit in a subdivision, and intended for transfer of ownership, use or improvement.

**Master development plan:** Shall mean the total site plan of a planned unit development drawn in conformity with the requirements of this section. Said development plan shall specify and clearly illustrate the location, relationship,

design, nature and character of all primary and secondary uses, public and private easements, structures, parking areas, public and private roads, and common open space.

*Phase:* Shall mean a specified portion of a planned unit development that may be developed as an individual component and shall be in the final development plan, and specified within the development schedule.

*Planned unit development:* Shall mean an area of land developed as a single entity, or in approved stages in conformity with a site development plan by a developer, or group of developers acting jointly, which is totally planned to provide for a variety of residential and compatible uses and common open space.

*Site development plan, conceptual:* An informal development plan, indicating existing site features, including existing roadways, proposed land use areas, proposed interior vehicular circulation system and the surrounding community development.

*Site development plan, preliminary:* A tentative development plan, to scale and dimensioned, which may be submitted prior to submission of final plans.

*Site development plan, final:* A complete and exact plan which shall be submitted and approved prior to filing for a building permit. (Amend. Zoning Regs., § 61.2, 7-17-73)

#### **Sec. 39-1185. Land-use standards.**

The land-use standards are determined for each land-use intensity (LUI) rating by computing each element of the rating shown in Figure 1.

- (1) *Floor area ratio (FAR).* FAR is the permitted residential square foot amount of floor area of buildings per square foot of land area in the Planned Unit Development site.  $FAR \times \text{Total square foot land area} = \text{maximum floor area permitted in the Planned Unit Development}$ .
- (2) *Open space ratio (OSR).* OSR is the minimum required square foot amount of land area which must remain

open space, without buildings, but including paved area, per square foot of residential floor area.  $OSR \times \text{Total square foot of floor area} = \text{minimum open space required.}$

- (3) *Livability space ratio (LSR).* LSR is the required square foot amount of open space which is not used for vehicular purposes, i.e., driveways and parking, per square foot of floor area.  $LSR \times \text{Total square foot of residential floor area} = \text{minimum livability space required.}$  (Amend. Zoning Regs., § 61.3, 7-17-73)

**Sec. 39-1186. Permitted uses.**

(a) *Residential uses.*

- (1) Single-family attached and detached dwellings, and multiple-family dwellings.
- (2) Planned residential communities. Supporting commercial, industrial and special uses may also be permitted within an approved residential planned unit development district when complementary to, compatible with, and required for the orderly operation of the planned community.

(b) *Non-residential uses.*

- (1) Planned Commercial Centers. Supporting non-commercial and special uses, may also be permitted within an approved commercial planned unit development district when complementary to, compatible with and required for the orderly operation of a commercial center.
- (2) Planned industrial parks. Supporting non-industrial and special uses may also be permitted within an approved industrial planned unit development district when complementary to, compatible with and required for the orderly operation of a planned park.
- (3) Planned special complexes. Recreational, cultural, educational or other similar uses may also be permitted within an approved special planned unit

development district when complementary to, compatible with, and required for the orderly operation of planned complexes.

- (4) Retail sales, including food and beverage service; automobile service station.
- (5) Personal services and household appliance repair services. Dry cleaning shall be done within completely enclosed solvent reclaiming units.
- (6) Business and professional offices, medical facilities, funeral homes, private and commercial schools.
- (7) Marine facilities.

(c) *Hotels, motels and restaurants.* Hotels, motels and restaurants may be permitted upon a consideration of the following criteria:

- (1) The total acreage used for said hotel, motel and restaurant, including necessary parking, support buildings, and ground appurtenances shall not be considered common open space and shall be included within the maximum total acreage permitted under this section for commercial uses.
- (2) The trafficway system in the area adjacent to the said use shall be adequate to support the anticipated traffic to be generated by the hotel, motel or restaurant.
- (3) The area of said use shall be calculated as part of the total commercial acreage permitted, and the density shall not exceed forty (40) hotel/motel units per gross acre as per special area delineated on the development plan.

(d) *Business use requirements for residential planned unit development.*

- (1) No more than five (5) per cent of the total land area may be used for permitted business uses.
- (2) All business uses located within the interior of the proposed Planned Unit Development shall be designed

having no storefronts, signs or advertisements visible from outside the property line, so there is no indication that the business uses are within.

- (3) In a planned unit development having fifty (50) acres or more, business uses may be located other than in the interior of the proposed planned unit development and do not have to meet the limitations imposed on interior business uses.
- (4) All products produced shall be for sale on the premises.
- (5) All business activities and storage of merchandise, equipment and materials shall be within an enclosed building except for automobile service station uses, live plants accessory to a plant nursery or garden supplies, and marine facilities.
- (6) Business activities operated within a planned unit development shall not provide delivery service to locations outside the planned unit development.
- (7) No building devoted primarily to a commercial use shall be permitted in a residential planned unit development until a certificate of occupancy for no less than fifty (50) per cent and/or one hundred (100) units, whichever is less, of the total planned residential floor area, including dwelling units, hotel/motel rooms, has been issued by the county. (Amend. Zoning Regs., § 61.4, 7-17-73)

**Sec. 39-1187. Common open space.**

(a) All common open space shall be preserved for its intended purpose as expressed in the site development plan. The developer shall choose one or a combination of the following three (3) methods of administering common open space:

- (1) Public dedication to the county of the common open space. This method is subject to formal acceptance by the county in its sole discretion.

- (2) Conveyed to trustees provided in an indenture establishing an association or non-profit corporation of all individuals or corporations owning property within the planned unit development so that the common open space will be used as specified on the development plan and to insure the maintenance of all common open space.
- (3) Retention of ownership, control and maintenance of all common open space by the developer.
  - (b) All privately owned common open space shall conform to its intended use and remain as expressed in the site development plan through the inclusion in all deeds of appropriate covenants. Said deed restrictions shall run with the land and be for the benefit of present as well as future property owners.
  - (c) All common open space as well as public and recreational facilities shall be specifically included in the development plan schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures. At least once every six (6) months the planning building, planning and zoning department shall inspect the planned unit development and examine the construction which has taken place on the site. If the rate of construction of dwelling units is greater than the rate at which common open spaces and recreational facilities have been constructed and provided, no permits shall be issued until the proper ratio has been provided.
  - (d) If the developer elects to administer common open space through an association or non-profit corporation, said organization shall conform to the following requirements:
    - (1) The developer shall establish, by charter, the association or non-profit corporation prior to any sale.
    - (2) Membership in the association or non-profit corporation shall be mandatory for all property owners within the planned unit development and said association or corporation shall not discriminate in its members or shareholders.

- (3) The association or non-profit corporation shall manage all common open space and recreational and cultural facilities which are not dedicated to the public, shall provide for the maintenance, administration and operation of said land and any other land within the planned unit development not publicly or privately owned, and shall secure and show evidence of adequate liability insurance on the land. (Amend. Zoning Regs., § 61.5, 7-17-73)

**Sec. 39-1188. Land use regulations.**

(a) *Minimum size.* All planned unit developments shall provide for a minimum of twenty (20) acres of contiguous land, unless the zoning board finds that a tract which contains less than twenty (20) acres is suitable as a planned unit development by the virtue of some unusual conditions; this minimum may then be waived.

(b) *Land-use intensity (LUI).*

- (1) The maximum land-use intensity ratios permitted in each planned unit development shall be established by the building, planning and zoning department. The criteria for establishing land-use intensity includes the predictable effect this proposed planned unit development will have on adjacent areas, specifically on the adequacy of existing and proposed public facilities and services. Site characteristics and recommended land-use intensity of any land-use plan involving the area in question will also determine the land-use intensity of the proposed planned unit development. In addition to other considerations for rezoning, a land-use intensity rating shall be assigned to each proposed planned unit development.
- (2) The planning division and/or zoning board may recommend an increase in the land-use intensity of the planned unit development to encourage distinctiveness and excellence in design, landscaping and open space.

(c) *Minimum lot area, distance between structures, frontage and setbacks.*

- (1) No minimum lot size shall be required within a planned unit development district.
- (2) No minimum distance between structures shall be required within a planned unit development district.
- (3) Each dwelling unit or other permitted use shall have access to a public street either directly or indirectly via an approach private road, pedestrian way, court or other area dedicated to public or private use or common easement guaranteeing access. Permitted uses are not required to front on a dedicated road. The county shall be allowed access on privately owned roads, easements and common open space to insure the police and fire protection of the area, to meet emergency needs, to conduct county services, and to generally insure the health and safety of the residents of the planned unit development.
- (4) There are no required setbacks or yards except the following:
  1. There shall be a setback or yard of not less than twenty-five (25) feet in depth abutting all public road rights-of-way within or abutting a planned unit development district.
  2. *Subdivision and resale.*
    - a. If the subdivision or resubdivision of an approved planned unit development will create a new plot line, the applicant shall make applications to the plat and site plan review committee for the approval of the subdivision or resubdivision plat. The plat and site plan review committee shall approve the subdivision or resubdivision if each section of the subdivided or resubdivided planned unit development meets the provisions of this chapter, governing floor area, common open space, and dimensional requirements and if it

is in compliance with the requirements contained within the Broward County Subdivision Regulations.

- b. All lots of a subdivided or resubdivided planned unit development are to be controlled by the site development plan rather than by the provisions of this chapter that otherwise would be applicable. The provisions of section 1-8 of the site development plan, governing changes in the site development plan, will apply.

(d) *Compatibility zone.* Within one hundred fifty (150) feet of the interior perimeter of the planned unit development district, use, setback, height and plot coverage requirements shall be at least as restrictive as the adjacent zoning or as indicated by established adjacent development.

(e) *Maximum length of structures.* No maximum length of structures shall be required within a planned unit development district.

(f) *Off-street parking requirements.* Off-street parking shall meet all requirements of Article IX, Off-street Parking and Loading of this chapter.

(g) *Landscaping.* Landscaping shall meet all requirements of this chapter.

(h) *Underground utilities.* Within the planned unit development, all utilities including telephone, television cable and electrical systems shall be installed underground. Primary facilities providing service to the site may be exempted from this requirement. Large transformers shall be placed on the ground and contained within pad mounts, enclosures or vaults. The developer shall provide adequate landscaping with shrubs and plants to screen all utility facilities permitted aboveground.

(i) *Professional services required.* Any master plan of development submitted as part of a petition for a planned unit development shall certify that the services of two (2) or more of the following professionals were utilized in the design or planning process:

- (1) A planner who possesses the education and experience to qualify for full membership in the American Institute of Planners, and/or
- (2) A landscape architect registered by the State of Florida, and/or
- (3) An architect licensed by the State of Florida together with,
- (4) A professional engineer registered by the State of Florida, and trained in the field of civil engineering, and/or
- (5) A land surveyor registered by the State of Florida. (Amend. Zoning Regs., § 61.6, 7-17-73)

#### **Sec. 39-1189. Platting.**

See Article III of the Site Development Plan Regulations.

#### **Sec. 39-1190. Procedure for rezoning to planned unit development district.**

The following procedures, applications and exhibits shall be required when applying for rezoning to a planned unit development district:

- (1) *Pre-application conference.* Before submitting an application for rezoning to a planned unit development, the applicant shall confer with the planning division to determine the feasibility for the proposed plan.
- (2) *Survey to determine land-use intensity ratio for subject property.* After the pre-application conference, the developer, if he decides to petition for rezoning to a planned unit development district, shall request the planning division to assign to the site a land-use intensity ratio. The following criteria shall apply:
  - a. Field survey of subject site;
  - b. Analysis of subject site and surrounding properties;

- c. Analysis of available and planned support systems;
  - d. Analysis of the subject site in relation to the Broward County Official Land-Use Plan;
  - e. Assignment of a Land-Use Intensity Ratio within sixty (60) days of requested survey.
- (3) *Application fees and required copies of plans.*
- a. Application fees.
    - 1. At the time of the planned unit development application, the base sum of two hundred dollars (\$200.00) plus one dollar (\$1.00) per acre within the development application area shall be payable.
    - 2. At the time of filing of each plat pursuant to the final master land-use plan, the sum of:
      - a. One dollar (\$1.00) per dwelling unit shall be payable.
      - b. Ten dollars (\$10.00) per acre for commercial land-use shall be payable.
- (4) *Plat and site plan review committee.* Prior to accepting an application for rezoning to planned unit development district, the plat and site plan review committee shall review and act on the subject plans. The applicant may choose any one of the following options to present to the committee as provided for in the Broward County Subdivision Regulations:
- a. Master development plan.
  - b. Conceptual site development plan.
  - c. Layout Site Development Plan.
  - d. Final Site Development Plan.
- The plat and site plan review committee shall make their recommendation to the zoning board within sixty (60) days of receiving the plan.

(5) *Broward County Zoning Board.* After the recommendation of the plat and site plan review committee, the applicant may apply for rezoning to planned unit development. The zoning board shall make its recommendations and land-use intensity rating to the board of county commissioners within ninety (90) days of the public hearing held by the zoning board on the application for planned unit development zoning.

(6) *County commission.*

- a. Upon receiving the recommendation of the Zoning Board of Broward County, the board of county commissioners shall, at a regularly scheduled public meeting, review said recommendation and the site development plan and either approve, approve subject to conditions, or disapprove the application.
- b. In the event the rezoning is approved by the board of county commissioners, the site development plan shall be certified by the clerk of the board and said certified copy shall be filed with the planning division as a permanent record. The site development plan approved by the plat and site plan review committee shall be recorded with the county comptroller. (Amend. Zoning Regs., § 61.8, 7-17-73)

**Sec. 39-1191. Conformance to approved plan.**

(a) After rezoning to planned unit development district, no permits shall be issued by the county, and no development shall commence unless in conformance with the approved site development plan, unless a change or deviation is approved.

(b) The planning division may approve minor changes and deviations from the approved site development plan which are in compliance with the provisions and intent of this chapter, and which do not depart from the principal concept of the approved site development plan.

(c) Should the planning division determine that a requested change or deviation from the approved site development plan does not comply with the provisions and intent of this chapter, or departs from the principles of the planned unit development, the applicant may appeal to the plat and site plan review committee for approval of such change or deviation.

(d) Upon appeal for change or deviation from the approved plan, the plat and site plan review committee may take such action as it deems appropriate. This may include referring the requested change or deviation to the zoning board for study and recommendations, or requiring that a new development plan be filed. (Amend. Zoning Regs., § 61.9, 7-17-73)

**Sec. 39-1192. Failure to begin planned unit development.**

If no construction has begun or no use established in the planned unit development within one (1) year from time of rezoning, the site development plan shall lapse and be of no further effect. If a site development plan lapses under the provisions of this section, the county commission may initiate a petition to rezone the said planned unit development district to an appropriate zoning classification. This procedure shall comply with the standard procedures of the county for rezoning. (Amend. Zoning Regs., § 61.10, 7-17-73)

**Sec. 39-1193. Building permit.**

No building permit shall be issued by Broward County until the site development plan has been recorded by the county comptroller. (Amend. Zoning Regs., § 61.11, 7-17-73)

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