

Town of Grant-Valkaria

TOWN COUNCIL WORKSHOP AGENDA
WEDNESDAY, SEPTEMBER 15, 2010 @ 7:00 P.M.
Town Hall Building
4240 Highway US1, Grant Valkaria, Florida 32949

A. WORKSHOP CALLED TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL (Town Clerk)

Mayor – Del Yonts

Seat No. 1 – Joe Hackford

Seat No. 2 – Lisette Kolar

Seat No. 3 – Pat Bryan

Seat No. 4 – Jason Mahaney

Seat No. 5 – Dan Faden

Seat No. 6 – Cathy DeMott

D. AGENDA ITEMS

1) Discussion of accessory structures regarding:

- a. Maximum number of accessory buildings permitted on a single family zoned residential lot
- b. Method of calculating total floor area of all detached accessory buildings
- c. Size limitations of accessory buildings or structures
- d. Maximum height of accessory structures

E. ADJOURN WORKSHOP

ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in this proceedings shall, at least forty-eight (48) hours prior to the meeting, contact the Town Clerk at (321) 951-1380.

General Provisions

Sec. 62-2100.5. Accessory building and accessory use standards.

- (1) Generalized standards for accessory buildings are as follows:
- (a) The number of accessory buildings permitted on a single family zoned residential lot is regulated by Table I, listed below.

Table I:

Number of Accessory Buildings per Lot Area

Lot Area (sq. ft.)	Accessory Buildings
<=7500	1
7501--25000	2
25001--35000	3
35001--45000*	4

* Plus one additional accessory building for each 15,000 square feet of land area beyond 45,000 square feet. Swimming pools, screened enclosures, docks, equipment/pump houses, and dog houses (not requiring a building permit) are exempt from the accessory building number limitation imposed by this section. Sports courts such as basketball or tennis are not considered to be accessory structures for the purposes of this subsection.

- (b) Except as noted in subsections: (1)(g), (1)(h), (1)(i), (1)(j), and (1)(k), in no instance shall the total floor area of all detached accessory buildings exceed the floor area of the principal structure.
- (c) Setback provisions for accessory buildings can be found within the general or specific setback provisions stated within each zoning classification.
- (d) The size limitation of accessory buildings or structures, when secondary to single family residential uses, is further limited as follows: Each detached accessory building or structure shall not exceed 600 square feet or 50 percent of the living area of the principal building, whichever is greater.
- (e) Accessory buildings or structures may be administratively expanded beyond the provision stated above in section (1)(d) provided that the residential lot is one acre or larger in area and the floor area of the proposed accessory building does not exceed 1,000 square feet. In no case shall the accessory structure's actual floor area exceed that of the principal residential building.
- (f) In those instances where the principle use of a multi-family zoned lot is

one single-family residence, one single-family garage apartment may be developed accessory to said residence and shall be exempt from the residential density limitations imposed by the comprehensive plan and zoning classification. In those instances where multiple residential structures have been developed, a garage apartment may be developed if consistent with the density limitations imposed by the comprehensive plan and zoning classification.

- (g) Accessory buildings in the agricultural zoning classification, and barns, where permitted, are exempt from standards listed above in subsections: 1(a, b, and d).
 - (h) Within the residential attached, multi-family, RP, PUD, & RPUD zoning classifications, accessory buildings or structures accessory to residential uses located within common areas are exempt from standards listed above in subsections: 1(a, b, and d).
 - (i) Within the PUD & RPUD zoning classifications, accessory buildings which are ancillary to on-site commercial uses are exempt from standards listed above in subsections: 1(a) and 1(b).
 - (j) Within commercial, industrial and government managed lands zoning classifications, accessory buildings are exempt from standards listed above in subsections: 1(a) and 1(b). Accessory buildings must meet all setback requirements for a principal structure and maintain a minimum spacing distance of 15 feet between structures.
 - (k) Within residential zoning classifications, accessory buildings which are ancillary to on-site agricultural uses are exempt from standards listed above in subsections: 1(a, b, and d).
 - (l) Within the RP zoning classification, detached accessory structures for professional uses shall be prohibited.
- (2) Accessory agricultural uses; The keeping of horses and agricultural pursuits are accessory to a principle residence within the following rural residential zoning classifications: (REU, RR-1, RRMH-1, RRMH-2.5 & RRMH-5) pursuant to the following limitations. Horses, not to exceed four per acre, are permitted for the personal, noncommercial use of the occupant of the property, provided there is a minimum of 10,000 square feet of land for each animal. Agricultural pursuits shall be limited to the keeping of horses and activities of a horticultural nature. No other farm animals or fowl shall be kept on the property except as provided in this chapter, and no produce shall be sold from the premises.

(Ord. No. 2002-49, § 36, 9-17-02)

TOWN OF GRANT-VALKARIA, FLORIDA

ORDINANCE NO. 2010-05

AN ORDINANCE OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; AMENDING SECTION 62-2100.5 OF THE TOWN LAND DEVELOPMENT REGULATIONS AS ADOPTED BY THE TOWN IN THE TOWN'S CHARTER; PROVIDING FOR ACCESSORY BUILDING AND ACCESSORY USE STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WITNESSETH:

WHEREAS, the Town's Charter provides, in part, that *"...all codes and ordinances... of Brevard County in effect on the day of adoption of this Charter shall... remain in force and effect as municipal codes, ordinances... of the town; and*

WHEREAS, at the time of adoption of the Town's Charter, Section 62-2100.5, Accessory Building and Accessory Use Standards was and continues to be in effect in the Town; and

WHEREAS, the Town Council in providing for the health, safety and welfare of its citizens finds that the Town should amend Section 62-2001.5, Accessory Building and Accessory Use Standards .

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. Section 62-2100.5, Accessory Building and Accessory Use Standards, is hereby amended in full to read as follows:

"Sec. 62-2100.5. Accessory building and accessory use standards.

- (1) Generalized standards for accessory buildings are as follows:
- (a) The maximum number of accessory buildings permitted on a single family zoned residential lot is regulated by Table I, listed below.

Table I:

Number of Accessory Buildings per Lot Area

Lot Area (sq. ft.)	Accessory Buildings
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25001--35000	3
35001--45000*	4

* Plus one additional accessory building for each 15,000 square feet of land area beyond 45,000 square feet. Swimming pools, screened enclosures, docks, equipment/pump houses, and dog houses (not requiring a building permit) are exempt from the accessory building number limitation imposed by this section. Sports courts such as basketball or tennis are not considered to be accessory structures for the purposes of this subsection.

- (b) Except as noted in subsections: (1)(f), (1)(g), and (1)(h) (1)(j), (1)(k) and, in no instance shall the total floor area of all detached accessory buildings exceed the floor base area (according to property appraiser website) of the principal structure plus the attached garage, if existing, or 3000 square feet whichever is smaller.
- (c) Setback provisions for accessory buildings can be found within the general or specific setback provisions stated within each zoning classification.
- (d) ~~The size limitation of accessory buildings or structures, when secondary to single family residential uses, is further limited as follows: Each detached accessory building or structure shall not exceed 600 square feet or 50 percent of the living area of the principal building, whichever is greater. The height of the accessory structure shall not exceed the 30 feet.~~
- (e) ~~Accessory buildings or structures may be administratively expanded beyond the provision stated above in section (1)(d) provided that the residential lot is one acre or larger in area and the floor area of the proposed accessory building does not exceed 1,000 square feet. In no case shall the accessory structure's actual floor area exceed that of the principal residential building. In those instances where the principle use of a multi-family zoned lot is one single-family residence, one single-family garage apartment may be developed accessory to said residence and shall be exempt from the residential density limitations imposed by the comprehensive plan and zoning classification. In those instances where multiple residential structures have been developed, a garage apartment may be developed if consistent with the density limitations imposed by the comprehensive plan and zoning classification.~~
- (f) ~~In those instances where the principle use of a multi-family zoned lot is one single-family residence, one single-family garage apartment may be developed accessory to said residence and shall be exempt from the residential density limitations imposed by the comprehensive plan and zoning classification. In those instances where multiple residential~~

~~structures have been developed, a garage apartment may be developed if consistent with the density limitations imposed by the comprehensive plan and zoning classification. Where permitted, accessory buildings and barns, relating to agricultural uses, in the agricultural zoning classification, the agricultural/residential zoning classification and residential zoning classifications are exempt from standards listed above in subsections: 1(a, b, and d).~~

- ~~(g) Accessory buildings and barns, where permitted, in the agricultural zoning classification and the agricultural/residential zoning classification are exempt from standards listed above in subsections: 1(a, b, and d). Within commercial, industrial and government managed lands zoning classifications, accessory buildings are exempt from standards listed above in subsections: 1(a) and 1(b), unless the primary use of the parcel is residential in which subsections 1(a) and (b) would then apply. Accessory buildings must meet all setback requirements for a principal structure and maintain a minimum spacing distance of 15 feet between structures.~~
 - ~~(h) Within the residential attached, multi-family, RP, PUD, & RPUD zoning classifications, accessory buildings or structures accessory to residential uses located within common areas are exempt from standards listed above in subsections: 1(a, b, and d).~~
 - ~~(i) Within the PUD & RPUD zoning classifications, accessory buildings which are ancillary to on-site commercial uses are exempt from standards listed above in subsections: 1(a) and 1(b).~~
 - ~~(j) Within commercial, industrial and government managed lands zoning classifications, accessory buildings are exempt from standards listed above in subsections: 1(a) and 1(b). Accessory buildings must meet all setback requirements for a principal structure and maintain a minimum spacing distance of 15 feet between structures.~~
 - ~~(k) Within residential zoning classifications, accessory buildings which are ancillary to on-site agricultural uses are exempt from standards listed above in subsections: 1(a, b, and d).~~
 - ~~(l) Within the RP zoning classification, detached accessory structures for professional uses shall be prohibited.~~
- (2) Accessory agricultural uses: The keeping of horses and agricultural pursuits are accessory to a principle residence within the following rural residential zoning classifications: (REU, RR-1, RRMH-1, RRMH-2.5 & RRMH-5) pursuant to the following limitations. Horses, not to exceed four per acre, are permitted for the

personal, noncommercial use of the occupant of the property, provided there is a minimum of 10,000 square feet of land for each animal. Agricultural pursuits shall be limited to the keeping of horses and activities of a horticultural nature. No other farm animals or fowl shall be kept on the property except as provided in this chapter, and no produce shall be sold from the premises.”

SECTION 2. Severability.

In the event a court of competent jurisdiction shall hold or determine any or part of this ordinance invalid or unconstitutional, the remainder of this ordinance shall not be affected.

SECTION 3. Effective Date.

This ordinance shall take effect in accordance with the Town Charter.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, ON THIS ____ DAY OF _____, 2010.

Del Yonts, MAYOR

ATTEST:

Susanne Krueger, TOWN CLERK

1ST READING: July 28, 2010
2ND READING: August 11, 2010

Roll Call Vote: Del Yonts _____
Joe Hackford _____
Lisette Kolar _____
Pat Bryan _____
Jason Mahaney _____
Dan Faden _____
Cathy DeMott _____

Approved by Planning and Zoning Board by 4:2 vote on May 24, 2010.