

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA; AMENDING CHAPTER SIX OF THE CODE OF ORDINANCES, ENTITLED BUILDINGS, ARTICLE I BUILDING CODE; ADDING SECTION 6-18 SHEDS; AND PROVIDING FOR CODIFICATION; REPEALING ANY INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach recognizes the need for property owners to have adequate outside storage; and

WHEREAS, it is the intent and policy of the City of Key Colony Beach to ensure the continued health, safety, welfare, and quality of life for the existing and future residents and visitors to our City; and

WHEREAS, it is the desire of the City Commission to maintain a visually appealing appearance throughout the city; and

WHEREAS, the City Commission desires to provide for storage in addition to engineering and permitted storage units constructed per city building codes.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, as follows: (Additions to the ordinance are underlined; deletions are ~~crossed-out~~.)

CHAPTER 6. Buildings

Article I. Building Code

Section 6-18 Sheds.

- (1) A manufactured shed may be placed on a property without a building permit provided that the following requirements are met.
 - (a) Maximum of two per dwelling unit.
 - (b) Maximum size for each manufactured shed is 130 cubic feet.
 - (c) No encroachment into the setbacks is created by the placement of the shed.
 - (d) The shed must be securely anchored to the wall of the dwelling unit.
- (2) Administrative variances for manufactured and constructed sheds in the side setback. The Building Official with the concurrence of the Mayor shall grant an administrative side setback variance for a shed if the following conditions are met.

- (a) Applicant submits an application form accompanied by a signed consent from the property owner adjacent to the requested variance. Application is to be filed with the city clerk along with the required fee.
- (b) Creating the administrative variance leaves adequate access for fire and EMS personnel and equipment.
- (c) The shed does not create an aesthetic detriment to the neighborhood.

If the Building Official or Mayor believes that all of these conditions have not been met, the variance application may proceed only if the applicant follows the requirements of Land Development Regulations section 101-171 Variances.

No administrative setback variance for a shed shall constitute precedent or justification for additional setback variances on the property receiving the administrative variance.

This Ordinance, upon final passage, shall be included in the Code of Ordinances for the City of Key Colony Beach, Florida, and numbered as set forth herein above.

All Ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

If any singular provision of this ordinance is held to be unconstitutional, preempted by federal or state law, or otherwise held invalid by any court of competent jurisdiction, the remaining provisions of the Ordinance shall not be invalidated.

This Ordinance shall become effective immediately upon passage.

Ronald A. Sutton, Mayor

Attest: Vickie L. Bollinger, City Clerk

Approved as to form and legal sufficiency:

Thomas D. Wright, City Attorney

July 9, 2009 1st Reading
July 11, 2009 Date of Notice, Florida Keys Keynoter
July 21, 2009 Second Reading