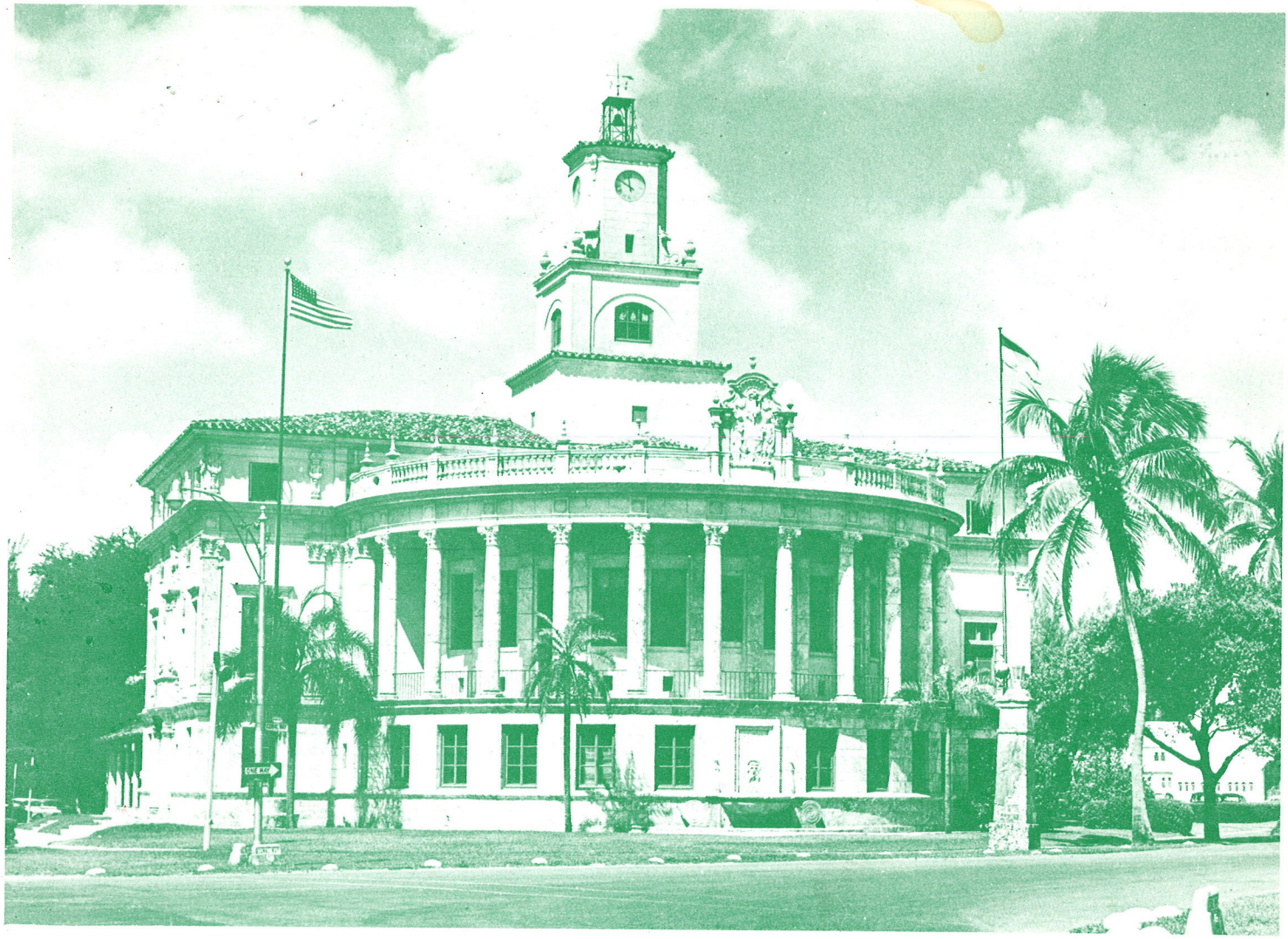

ZONING CODE OF THE CITY OF CORAL GABLES FLORIDA

Information...

BOARD OF ARCHITECTS

The Board of Architects meets each Thursday morning at 8:30 A.M. in the Commission Chamber in the City Hall.

Preliminary plans submitted to the Board of Architects shall have a plot plan, floor plan, and shall show elevations abutting streets, waterways and golf courses.

All plans to be considered by the Board of Architects shall be submitted to the Secretary of the Board not later than 5:00 P.M. on the Tuesday preceding the Board of Architects meeting.

PLANNING AND ZONING BOARD

The Planning and Zoning Board meets on the Third Monday of the month at 7:30 P.M. in the Commission Chamber in the City Hall.

Applications to be considered by the Planning and Zoning Board must be filed with the Secretary of the Board at least ten (10) days preceding the meeting of the Board.

BOARD OF ADJUSTMENT

The Board of Adjustment meets on the First Monday of the month at 7:00 P.M. in the Commission Chamber in the City Hall.

Applications to be considered by the Board of Adjustment must be filed with the Secretary of the Board at least twenty-four (24) days preceding the meeting of the Board.

CAUTION

Be sure plans call for the building or structure to face the front of the lot.

After a permit has been issued no deviation will be permitted to the plan without prior approval.

A permit issued for plans which do not conform to all city ordinances is not valid and does not permit construction contrary to requirements.

ATTENTION!

DON'T buy a lot until you have consulted the Zoning Code as to what Uses are permitted thereon.

DON'T rent property for income purposes until you have consulted with the Zoning Division or checked the Zoning Code.

DON'T change the front of your building with the idea of putting in a store or commercial unit until you have consulted the Zoning Code.

DON'T have your plans drawn until you have presented a preliminary plan to the Board of Architects.

DON'T put in your foundation or effect any alterations until you have been issued a permit.

THIS ZONING CODE

As amended through December 31, 1983 is published for the benefit of the Citizens of Coral Gables and for everyone who may be considering the construction or alteration of any type building or premises in Coral Gables.

CITY COMMISSION

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Dorothy Thomson, Vice Mayor
Bob Hildreth
William H. Kerdyk
Ronald Robison

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ZONING CODE

Title

Preamble

General ..... Section 1.01 et seq.

Definitions ..... Section 2.01 et seq.

Use Districts and Regulations ..... Section 3.01 et seq.

Use Prohibitions and Restrictions ..... Section 4.01 et seq.

Building Area Regulations ..... Section 5.01 et seq.

Setback Requirements ..... Section 6.01 et seq.

Facing of Lots and Buildings ..... Section 7.01 et seq.

Building Site Regulations ..... Section 8.01 et seq.

Regulations for Buildings and Structures ..... Section 9.01 et seq.

Sign Regulations ..... Section 10.01 et seq.

Board of Architects and Structural Engineer .... Section 11.01 et seq.

Board of Adjustment – Procedures ..... Section 12.01 et seq.

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ORDINANCE NO. 1525 (With Amendments)
Zoning Code of Coral Gables, Florida

AN ORDINANCE DEALING WITH ZONING IN THE CITY OF CORAL GABLES; PERMITTING IT TO BE KNOWN AS THE "ZONING CODE" AND/OR "ZONING ORDINANCE", INTERCHANGEABLY OF THE CITY OF CORAL GABLES, FLORIDA, AS AMENDED THROUGH JUNE 30, 1965; PRESCRIBING RULES AND REGULATIONS; CREATING A PLANNING AND ZONING BOARD AND BOARD OF ARCHITECTS AND DEFINING THE DUTIES AND POWERS THEREOF; FIXING PENALTIES AND REPEALING ALL ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH.

WHEREAS, by the provisions of its charter, authority is conferred upon The City of Coral Gables in the interests of public health, safety, order, convenience, comfort, prosperity or the general welfare, to adopt a plan or plans for the districting or zoning of the city, for the purpose of regulating the location of trades, industries, apartment houses, dwellings, and other use of property, or for the purpose of regulating the height of buildings and other structures; or the area and dimensions of lots or yards in connection with buildings or other structures, and for the purpose of regulating the alignments of buildings or other structures near street frontages, and to regulate the type, exterior decoration and coloring of buildings; to conform to building restrictions established by subdivision plans, etc.; and

WHEREAS, such authority was exercised by the enactment February 16, 1937 of Ordinance No. 271, known as the "Zoning Ordinance of the City of Coral Gables"; and

WHEREAS, since February 16, 1937 numerous amendments have been made to Ordinance No. 271, and for the purpose of greater clarity and convenience it is deemed necessary to amend and re-enact such ordinance to reflect such changes, together with interpretations thereof and policies determined in connection therewith; to rearrange and renumber the sections of the ordinance; and to combine the Use District, Building Content and Area District Maps attached to and made a part of Ordinance No. 271 into one map, to be designated as the "Use and Area" map.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. That Ordinance No. 271, passed and adopted February 16, 1937 and known as the "Zoning Ordinance" be and the same hereby is amended so that the said ordinance shall hereafter read as follows:

1. GENERAL

SECTION 1.01 SHORT TITLE. This ordinance, together with future amendments thereof, and the "Use and Area" map attached hereto and hereby made a part hereof by reference, with future changes or amendments thereof, shall be known as the "Zoning Code" of The City of Coral Gables, Florida. The Use and Area map may be prepared and shown in separate sections or plates, which shall collectively be known as the "Use and Area Map". Explanatory notes upon the Use and area Map shall be deemed a part of such map and this code.

SECTION 1.02 INTERPRETATION, PURPOSE. In interpreting and applying the provisions of this code, they shall be held to be the minimum requirements for the promotion of the health, safety, morals, order, convenience and general welfare of the community. The purpose of this code is to improve the overall quality of life in Coral Gables, Florida; and to provide for efficiency and economy in the process of stable and orderly development, for the appropriate and best use (not necessarily the most economic use) of land in accordance with standards established by the will of the residents, for preservation, protection, development, and conservation of the natural resources of land, water and air, for convenience of traffic and circulation of people and goods, for the use and occupancy of buildings, for healthful and convenient distribution of population, in accordance with maximum densities of the Comprehensive Plan, for adequate public utilities and facilities, for the preservation and promotion of the natural and civic amenities of beauty and visual interest, for promotion of large scale developments as a means of achieving unified civic design, and for development in accord with the Comprehensive Plan by establishing zoning districts with adequate buffers between and confining high density development to areas which are feasible for mass transportation of high employment potential, and by regulating the location and use of buildings, signs and other structures, and land or water for trade, agriculture, industry and residence, by regulating and limiting or determining the height, bulk and access to light and air of buildings and structures, the area of yards, and other open spaces, and the density of use. To accomplish these objectives, the regulations and districts and accompanying maps have been designed with reasonable consideration, among other things, for the character of the districts, and their peculiar suitability for particular uses, and they are to be regularly reevaluated in order to best accomplish the above objectives. Variances shall be made only upon the basis of "unnecessary hardship" (see definitions of "unnecessary hardship" and "necessary hardship") and under no circumstances shall a change of zoning involving "spot zoning" be approved. (See Section 2.315 for definition of "spot zoning").

In making zoning changes, primary concern shall be given to protection of residential uses, where occupancy is generally for 24 hours per day and 7 days per week, than to other types of uses; and primary consideration shall be given to protection of established investments than to projected investments. Normally, land should not be rezoned to another use until the utilities and other necessary improvements are included in a five year projection of the capital improvement program, or are to be provided by the developer under a bonded arrangement.

It is not intended by this code to interfere with, abrogate or annul any easements, covenants or other valid title restrictions imposed by agreements between parties, provided, however, that where this code imposes a higher standard upon the use of buildings or premises, or requires larger open

spaces or other restrictions than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this code shall control. (1884, 2417)

SECTION 1.03 ANNEXED TERRITORY. All territory which may be hereafter annexed to The City of Coral Gables shall be automatically zoned as an R-Use District until otherwise changed by ordinance, after public hearing as herein provided.

SECTION 1.04 VACATIONS - BUILT-UP LAND. Whenever any street, alley or other public way is vacated by official action of the Commission of the City of Coral Gables, the Use District and Area regulations governing the property abutting upon each side of such street, alley or public way shall be automatically extended to the center of such vacation and all area included within the vacation shall thereafter be subject to all appropriate regulations of the extended Use Districts. In all cases where land is built-up by fill upon areas formerly under water, the Use District and Area regulations applying to the land immediately adjoining such built-up land shall be automatically extended thereto.

2. DEFINITIONS

SECTION 2.01 DEFINITIONS. The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the following meanings, except where the context clearly indicates a different meaning. Words used in the present tense include the future; the singular number includes the plural number and the plural the singular; the word "building" includes the word "structure"; the words "used for" include the words "designed for"; and the word "shall" is mandatory and not directory. (1884)

SECTION 2.02 ACRE, NET. For the purpose of this Code, a net acre of land shall be the area within lot boundaries of all lands comprising the building site. A net acre shall not include any portion of the abutting dedicated streets, alleys, waterways, canals, lakes or any such dedicated right-of-way by whatever name known. (2171)

SECTION 2.021 ALCOHOLIC BEVERAGES. Beverages containing alcohol of more than one (1) percent by weight and not more than fourteen (14) percent by weight. (2206)

SECTION 2.021.1 ADULT. Any person eighteen (18) years of age or older. (2245)

SECTION 2.022 ADULT BOOK STORE. An establishment having as a substantial or significant portion of its stock in trade, books, magazines, prints, photos, movies, models and periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, exhibiting or relating to "Specified Anatomical Areas" or an establishment with a segment or section devoted to the sale or display of such material. (2245)

SECTION 2.03 ALLEY. A narrow thoroughfare dedicated or used for public use upon which abut generally the rear of the premises, or upon which service entrances of buildings abut, which is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, and is not otherwise officially designated as a street.

SECTION 2.035 APARTMENT. A room or a suite of rooms within an apartment house, arranged, intended or designed to be used as a home or residence of one family with kitchen facilities for the exclusive use of the one family. Apartments shall not be permitted to have outside doors to bedrooms.

SECTION 2.04 APARTMENT BUILDING. A building which is used or intended to be used as a home or residence for three or more families living in separate apartments, in which the yard areas, hallways, stairways, balconies and other common areas and facilities are shared by families living in the apartment units.

SECTION 2.05 APARTMENT GARAGE. A building designed and used exclusively for the housing of automobiles belonging to the occupants of an apartment building on the same premises.

SECTION 2.055 APARTMENT HOTEL. A building designed for or containing both apartments and individual hotel guest rooms under resident supervision and which maintains an inner lobby through which all tenants must pass to gain access to apartments and hotel rooms.

SECTION 2.056 ARCHITECTURE. The art and science of designing and constructing buildings adapted to their purposes, one of which is beauty. (2125)

SECTION 2.06 AUTOMOBILE SERVICE STATION. An establishment conducted principally for the business of fueling and lubricating motor vehicles, including the sale of tires, batteries and incidental vehicle accessories and for the performance of the following incidental services to motor vehicles and none other: (1990)

(a) Service and replacement of batteries;

(b) Washing, cleaning and polishing;

(c) Tire repair and servicing but no recapping;

(d) Adjusting brakes;

(e) Ignition services;

(f) Emergency wiring repairs;

(g) Replacement of water hose, belts, brake and power steering fluid; light bulbs, floor mats and windshield wiper blades;

(h) Tuning engines with the exception of grinding valves, cleaning carbon and removing the heads of engines and/or crank case.

SECTION 2.07 AUXILIARY OR ACCESSORY USE. A use customarily incidental to and accessory to the principal use of a building or premises located on the same premises with such principal use, but not including any commercial activity.

SECTION 2.071 AWNING. A roof-like cover extended over a window, door or an opening of a structure, including garage or porte-cochere vehicle openings, being fastened in the manner provided for such fastenings, to the structure of which it is a part and design; and used for the purpose of shielding such window, door or opening from the rays of the sun, rain and like elements of weather, as opposed and differing from canopies as the word "can-

opy" is hereinafter defined. Awnings erected over garage openings or porte-cochere vehicle openings shall not extend out from the outside wall of the building more than six feet (6') maximum. (2091).

SECTION 2.075 BASEMENT. That portion of a building between floor and ceiling which is so located that one-half (1/2) or more of the clear height from floor to ceiling is below grade. The basement shall not be used as a habitable room. (See Section 2.226) (2239,2396)

SECTION 2.076 BEVERAGE DISTRIBUTOR. Distributor and vendor, at wholesale only, of alcoholic beverages in sealed containers. (2206)

SECTION 2.08 BILLBOARDS. A surface whereon advertising matter is set in view conspicuously and which advertising does not apply to premises or any use of premises wherein it is displayed or posted.

SECTION 2.09 BLOCK. A block shall be deemed to be that property abutting on a street on one side of such street and lying between the two nearest intersecting or intercepting streets or nearest intersecting or intercepting street and railroad right-of-way or waterway, golf course, campus, park or other open space, (when used otherwise than in a platted description of specific property).

SECTION 2.10 BUILDING. A building is a structure entirely separated from any other structure by space or by walls in which there are no communicating door or windows or similar openings.

SECTION 2.11 BUILDING SITE. For the purpose of this code a building site shall be as follows: (2266)

(a) A parcel of land having not less than the minimum area permitted by this code for a building to be erected thereon, including such open spaces as are required by this code and such open spaces as are arranged and designed to be used, or actually used, in connection with such building, but in no case containing less than the minimum area prescribed by this code.

(b) A parcel of land heretofore approved by the City of Coral Gables as a building site under a "Unity of Title" agreement as recorded in the Public Records of Dade County, Florida.

SECTION 2.111 CABANA. An accessory building or a portion of the main building used as a bath house or a dressing area in connection with a swimming pool or a tennis court. (2038)

SECTION 2.112 CARNIVAL. For the purpose of this ordinance, a carnival is defined as an exhibition or amusement enterprise consisting of various riding devices, side shows, games or tests of skill and vendors of refreshments. Programs which may be directed to Brownies, Cub Scouts, Girl Scouts and Boy Scouts and Church Bazaars, religious programs and festivals and similar church and school functions shall not be construed as carnivals. (2254)

SECTION 2.113 CARPORT. A roofed structure not more than seventy-five percent (75%) enclosed by walls and attached to the main building for the purpose of providing shelter for one or more motor vehicles.

SECTION 2.113.1 CAR-PORTE CANOPY. A roof-like covering, intended and used for the purpose of sheltering vehicles from the rays of the sun and from rain and weather. Car-porte canopies are partially or entirely supported from the ground up. (2091)

SECTION 2.113.2 CAT. For the purpose of this ordinance, a cat shall be defined as a carnivorous quadruped belonging to the feline family and held as a domesticated cat. (2284)

SECTION 2.113.3 COASTAL FLOOD HAZARD DISTRICT. For the purpose of this ordinance, the coastal flood hazard district is designated as follows: (2396)

1. The area south of the Coral Gables Deep Waterway and east of Old Cutler Road and Red Road; and

2. The area bounded on the south by the Coral Gables Deep Waterway; on the west by LeJeune Road and Ingraham Highway and on the north by West Ingraham Terrace and Miami City limits and on the east by Biscayne Bay.

SECTION 2.114 COMPREHENSIVE PLAN. The specific plan as detailed in the existing Zoning Code of the City of Coral Gables, Florida as amended. (1884)

SECTION 2.115 CONDITIONAL USE. For the purpose of this Code, a conditional use is defined as a use that would not be appropriate generally, or without restriction throughout a zoning district or classification but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare. Such uses may be permitted in a zoning district or classification as conditional uses if specific provision for such conditional use is made in the "Zoning Code." (2353)

SECTION 2.117 CHURCH. A building used for non-profit purposes by a recognized and legally established sect solely for the purpose of worship.

SECTION 2.12 CLUB VENDOR. Chartered or incorporated club or lodges, organized for lawful purposes and not for the purpose of evading beverage laws, vending alcoholic beverages and intoxicating liquors at retail to members and their guests only, for consumption on the premises. (1884)

SECTION 2.121 TEMPORARY FIELD AND/OR CONSTRUCTION OFFICE. For the purpose of this ordinance, a mobile home, travel trailer or truck trailer when used as an office in conjunction with a construction project shall be defined as a temporary field and/or construction office. (2217)

SECTION 2.125 CONVALESCENT HOME. A building wherein for compensation, nursing care is provided for persons suffering from illness, other than mental or contagious, which is not of sufficient severity to require hospitalization, or persons requiring further institutional care after being discharged from a hospital other than a mental hospital. Occupancy of a convalescent home by any patient shall not exceed 30 days within any calendar year.

SECTION 2.13 COURT. An open, unoccupied, unobstructed space, other than a yard, on the same lot as a building. Trees or shrubs may be used in a court.

SECTION 2.14 COURT, INNER. A court not extending to a street or alley or to a front, side or rear yard.

SECTION 2.15 COURT, OUTER. A court extending to a street or alley or to a front, side or rear yard.

SECTION 2.151 DENSITY. For the purpose of this Code, density is defined as the number of dwelling units permitted per net acre of land. (2171)

SECTION 2.16 DEPTH AND WIDTH. The depth of a lot is the mean horizontal distance between the front and rear lot lines. The width of a lot is the distance between the side lines thereof if such side lines are parallel to each other; if side lines are not parallel, width shall be construed as mean width.

SECTION 2.164 DOG KENNEL, COMMERCIAL. The keeping of any dog or dogs, regardless of number, for sale, breeding, boarding or treatment purposes except in an animal hospital or dog beauty parlor, as permitted by these regulations, or the keeping of five or more dogs, six months or older, on premises used for residential purposes, or the keeping of more than one dog on vacant property or on property used for business or commercial property.

SECTION 2.167 DORMITORY. A building intended or used principally for sleeping accommodations where such building is related to an educational or public institution including religious institutions.

SECTION 2.17 DUPLEX OR TWO-FAMILY RESIDENCE. A residence building designed for, or used as, the separate homes or residence of two (2) separate and distinct families, having the exterior appearance of a single family dwelling house. Each individual unit in the duplex shall have all living room accessible to each other from within the unit and each individual unit is to be occupied exclusively by one family.

SECTION 2.18 EFFICIENCY APARTMENT. An apartment consisting of a combination living room and bedroom with small auxiliary rooms such as kitchenette, breakfast nook, and bath arranged so as to consist of not more than one habitable room. (1548)

SECTION 2.181 ENTRANCE CANOPY. A roof-like covering over a door or an opening of a structure intended and used for the purpose of sheltering persons or inanimate objects from the rays of the sun and from rain and weather. Entrance canopies shall be attached to the building and may be supported from the ground up; the overall width of said entrance canopies shall be a maximum of the entrance opening and framing width, plus twelve inches (12"), and said entrance canopies shall extend out perpendicular from the building. Entrance canopies are permitted on commercial buildings only. (2091)

SECTION 2.19 ESTABLISHED GRADE. The established grade, as applied to any building site shall be the average elevation of the sidewalk abutting such building site or, if there is no sidewalk, the average elevation of the crown of the road or street abutting such building site. Where a building site abuts more than one road and/or street, the established grade shall be the average elevation of the sidewalks abutting such building site, or if there are not sidewalks, the average elevation of the crown of the road and/or streets abutting such building site. (2416)

SECTION 2.195 AESTHETICS. The science and philosophy of beauty. (2125)

SECTION 2.20 FAMILY. A body of persons (two or more) who live together on the same premises, upon one of whom there is an obligation, either legal or moral, to support the others - in whole or in part - and who occupies the position of head of the house, or pater familias.

SECTION 2.204 FLAT ROOF. A roof having a pitch of not more than one and one-half inches (1-1/2") in twelve inches (12").

SECTION 2.207 FRONTAGE, LOT OR FRONTAGE STREET. The distance for which the front lot line and the front street line are coincident.

SECTION 2.21 GARAGE APARTMENT. A private garage, containing living quarters in the same building. (See Section 3.15 for permissive use of living quarters).

SECTION 2.213 GARAGE SALE. For the purpose of this ordinance, a garage sale is defined as the sale of personal property from a residence, duplex or apartment. The sale of personal property not in excess of five (5) items in number, provided that such items are specifically named or identified in the advertisement thereof, or the sale of personal property pursuant to an order or process of a court of competent jurisdiction, shall not be construed as a garage sale. (2259)

SECTION 2.215 GRADE. For the purpose of this ordinance, grade shall be the average elevation of the sidewalk abutting such building site. In the absence of sidewalks, grade shall be the average elevation of the crown of the road or street abutting such building site. Where a building site abuts more than one road and/or street, the grade shall be the average elevation of the sidewalks abutting such building site, or if there are no sidewalks the average elevation of the crown of the road and/or street abutting such building site. (2416)

SECTION 2.22 GRADE, FINISHED. The finished grade of premises improved by a building is the elevation of the surface of the ground adjoining the building. Where the finished grade is below the level of the established grade, the established grade shall be used for all purposes of this ordinance.

SECTION 2.224 Rescinded by Ordinance No. 2239

SECTION 2.225 GUEST HOUSE. A building located on the same premises with the principal building of a "Residential Estate" which building is not occupied year round, but which is used by temporary guests only. (2099)

SECTION 2.226 HABITABLE ROOM. An undivided enclosed space, so daylighted and ventilated, so protected against the elements, so located with reference to the ground surface, and of such ceiling height, as to comply with the South Florida Building Code. Habitable rooms include rooms used for living or sleeping, and rooms in dwelling units used for the preparation or eating of meals, but do not include closets, corridors, hallways, laundries, serving or storage pantries, bathrooms, or similar places. (1548)

SECTION 2.227 HALF STORY. A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet (3') above the top floor level and in which space not more than two-thirds (2/3) of the floor area is finished for use. A half-story containing independent apartments or living quarters shall be counted as a full story.

SECTION 2.23 HEIGHT OF BUILDING. The height of a building shall be the vertical distance measured from the established grade to the level of the highest point of the building, excluding therefrom items listed under Section 9.03 (g) herein. (2239, 2420)

SECTION 2.24 HOTEL. A building in which lodging or boarding and lodging are provided and offered to the public for compensation in which ingress and egress to and from all rooms is made through an inside lobby or office which is supervised normally by a person at all hours. As such it is open to the public in contradistinction to a boarding, lodging house or an apartment building and NO KITCHEN FACILITIES are offered. (1654)

SECTION 2.241 INTOXICATING LIQUORS. Beverages containing alcohol of more than fourteen (14) percent by weight or its equivalent seventeen and twenty-six one hundreds (17.26) percent by volume at sixty (60) degrees Fahrenheit which are recognized as the same for the purposes of this code. (2206)

SECTION 2.243 LEASE DEPARTMENT. A department or part of any store or unit which is under separate lease, ownership and/or management from the remainder of the store or unit. The operator of a lease department operates such department as a separate, complete business, owns the stock and retain the profit. The definition of a lease department shall also include subleases and/or concessionaires. The number of such lease departments in any one (1) store or unit may be one (1) up to 2,500 square feet of gross floor area and shall not exceed one (1) for each additional 2,500 square feet of gross floor area thereafter. Each lease department, sublease and/or concessionaire shall obtain an occupational license, as provided for under Chapter 17 of the City Code. (2208)

SECTION 2.245 LIQUOR DISTRIBUTOR. Distributor and vendor at wholesale only, of alcoholic beverages and intoxicating liquors in sealed containers. (2206)

SECTION 2.25 LOT. A lot shall be deemed to be any tract, area or parcel of land platted as a lot upon a recorded plat intended for occupancy by a Use permitted in this Ordinance. A "corner lot" is a lot at the junction of and fronting on two or more intersecting streets, or street and canal or waterway.

SECTION 2.250.001 MASSAGE. The performance of manipulative exercises upon the human body of another by rubbing, kneading, stroking or tapping with the hand or hands. (2245)

SECTION 2.250.002 MASSAGE SALON. Any place or establishment where a massage is made available. For the purpose of this Code, a health studio and/or health club shall be included herein where any portion of the floor space is used for the above stated purpose. (2245)

SECTION 2.251 MERCHANT AND/OR DEPARTMENT STORE. Any retail establishment offering a wide variety of merchandise and services under one ownership and management and one occupational license, except for a lease department as defined and limited under Section 2.243 herein, and organized into departments according to the kinds of goods sold. (2208)

SECTION 2.255 MEZZANINE. An intermediate floor placed in any story or room. When the total area of any such mezzanine floor exceeds thirty-three and one-third (33⅓) percent of the total floor area in the room or story in which the mezzanine floor occurs it shall be considered as constituting an additional story. The clear height above or below a mezzanine floor construction shall be not less than seven feet (7').

SECTION 2.26 MOTEL OR MOTOR COURT. A motel or motor court is a series of attached or semi-attached dwelling units where each unit has convenient access to parking space for the use of the unit's occupants. The units, with the exception of the apartment of the manager or caretaker, are designed to provide sleeping accommodations for automobile transients or overnight guests and NO KITCHEN FACILITIES are offered.

SECTION 2.265 NECESSARY HARDSHIP. Arduous restrictions upon the uses of a particular property which promote the objectives of these regulations, providing that such regulations apply to all land within the same district.(1884)

SECTION 2.27 NON-CONFORMING USE. A non-conforming use is a use which does not comply with the regulations of the Use District in which it is situated.

SECTION 2.272 NURSING HOME. A building for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services.

SECTION 2.273 ONE BEDROOM APARTMENT. An apartment consisting of two (2) habitable rooms excluding the kitchen. (1548)

SECTION 2.274 PARAPET. That portion of a wall which extends above the roof line.

SECTION 2.276 PENTHOUSE. An enclosed roof structure extending not more than twelve feet (12') above the roof of a building and having an area not exceeding more than twenty-five (25) percent of the area of the floor immediately below. A penthouse shall not be construed as a story.

SECTION 2.278 PORTE-COCHERE. A roofed structure attached to a building and erected over a driveway for a building entrance not exceeding one story in height and open on three sides.

SECTION 2.28 PRIVATE CLUB. The term "private club" shall pertain to and include associations and organizations of a fraternal or social character, or which are maintained in connection with a golf course; and shall not include casinos, night clubs or other institutions operated as a business. Such organizations and associations must be organized under the laws of the State of Florida as a non-profit corporation.

SECTION 2.29 PUBLIC GARAGE. A building or premises arranged, designed and intended to be used for the storage or service of motor vehicles for hire or reward, or which does not come within the definition of a private or apartment garage as herein set forth.

SECTION 2.30 PRIVATE GARAGE. A building designed and used exclusively for storage on the ground floor of not more than four motor vehicles devoted to the private use of the owner, when such garage is located on the same premises, as an auxiliary use, with the residence or business of the owner of such automobiles so stored.

SECTION 2.301 PRIVATE YACHT BASIN. For the purpose of this ordinance a "private yacht basin" is defined as a facility providing docks, slips, piers, pilings, bollards, anchorage and moorings for yachts and pleasure boats for the residents of the City of Coral Gables either by ownership, lease or rent and such off-street parking and buildings and structures as are required for the operation of such yacht basin. Docking facilities provided as an auxiliary or accessory use for residences, duplexes and apartments for use of residents living in such buildings shall be excluded from this definition. (2389).

SECTION 2.305 REPLAT. The redividing of lots within a platted subdivision for the purpose of recording in the public records of Dade County, Florida.

SECTION 2.306 RESIDENTIAL ESTATE. A single family residential site comprising an area of not less than one and one half (1½) acres and having a minimum lot width of two hundred (200) feet and a minimum lot depth of two hundred and fifty (250) feet. No single family residence having a minimum square foot floor area of less than four thousand two hundred and seventy-three (4,273) square feet shall be designated as a "Residential Estate." Except as provided for in this Code a "Residential Estate" shall abide by all rules and regulations applicable to an "R" Use District. (2099)

SECTION 2.306.001 RESTRICTIVE COVENANT. For the purpose of this ordinance a "Restrictive Covenant" is a written agreement executed by and between a property owner and the City of Coral Gables, whereby the property owner for a specified consideration by the City agrees to certain conditions, restrictions and/or limitations on the use, maintenance or sale of his property. Such "Restrictive Covenant" shall be recorded in the Public Records of Dade County, Florida and shall run with the land and shall be binding upon the property owner, his successors and assigns. (2347)

SECTION 2.306.1 RETAIL PACKAGE BEVERAGE STORE. Vendor of alcoholic beverages at retail in sealed containers for consumption off the premises only. (2206)

SECTION 2.306.2 RETAIL BEVERAGE STORE. Vendor of alcoholic beverages at retail for consumption on the premises. (2206)

SECTION 2.306.3 RETAIL PACKAGE LIQUOR STORE. Vendor of alcoholic beverages and intoxicating liquors at retail in sealed containers for consumption off the premises only. (2206)

SECTION 2.306.4 RETAIL LIQUOR STORE. Vendor of alcoholic beverages and intoxicating liquors at retail for consumption on the premises. (2206)

SECTION 2.307 TEMPORARY LAND DEVELOPMENT SALES OFFICE. For the purpose of this ordinance, a temporary land development sales office is defined as an office located within a newly platted subdivision and used by the land developer for the sale of the lots within the platted subdivision. Such sales office may consist of an existing building located within the subdivision, a mobile home, a travel trailer or a temporary building as may be approved by the Board of Architects, Structural Engineer and Building and Zoning Department. (2217)

SECTION 2.31 SCREENED STRUCTURE OR SCREENED ENCLOSURE. A frame erected of metal or wood which framing and overhead supports are only covered with insect screening of metal, fiberglass or other approved insect screening. The insect screening shall have at least fifty (50) percent open area per square inch. The framing and overhead supports of such screened structure or screened enclosure shall be solely for the purpose of supporting such screening.

SECTION 2.315 SPOT ZONING. Spot zoning involves change in use district boundaries, variances, and other amendments to the zoning ordinance and district maps which violate sound principles of zoning and are characterized by the following:

1. Individuals seek to have property rezoned for their private use.
2. Usually the amount of land involved is small and limited to one or two ownerships.
3. The proposed rezoning would give privileges not generally extended to property similarly located in the area.
4. Applications usually show little or no evidence of, or interest in, consideration of the general welfare of the public, the effect on surrounding property (including adequate buffers), whether all uses permitted in the classification sought are appropriate in the location proposed, or conformity to the Comprehensive Plan or to comprehensive planning principles (including alterations to the population density patterns and increase of load on utilities, schools and traffic). (1884)

SECTION 2.32 TENTS. A tent is any portable or removable shelter made of canvas and/or some other similar fabric, either natural or synthetic, as contrasted with "awning" or "canopy", as defined.

SECTION 2.323 TWO BEDROOM APARTMENT. An apartment consisting of three (3) habitable rooms excluding the kitchen. (1548)

SECTION 2.327 THREE BEDROOM APARTMENT. An apartment consisting of four (4) or more habitable rooms excluding the kitchen. (1548)

SECTION 2.328 SELF-SERVICE GASOLINE STATION. A self-service gasoline station shall mean that property where flammable and combustible liquids used as motor fuels are stored and subsequently dispensed from fixed, approved dispensing equipment into the fuel tanks of motor vehicles by persons other than the service station attendant. (2310)

SECTION 2.328.1 SERVICE STATION. For the purpose of this code, whenever the phrase "service station" is used alone it shall refer to and include automobile service stations, self-service gasoline stations and split-island service stations as defined herein under Sections 2.06, 2.328 and 2.340.1 respectively. (2310)

SECTION 2.33 SETBACK. The minimum horizontal distance between the lot or property line and the nearest front, side or rear line of the building (as the case may be), including terraces or any covered projection thereof, excluding steps. Roofs may project into the required minimum setback area not more than as shown hereinafter, to-wit: (1846, 2150)

(a) On setbacks from five (5) feet to ten (10) feet, roofs may project not more than two and one-half (2½) feet into the required minimum setback area;

(b) On setbacks from ten and one-tenth (10.1) feet to fifteen (15) feet, roofs may project not more than three (3) feet into the required minimum setback area;

(c) On setbacks from fifteen and one-tenth (15.1) feet to twenty (20) feet, roofs may project not more than three and one-half (3½) feet into the required minimum setback area;

(d) On setbacks from twenty and one-tenth (20.1) feet to twenty-five (25) feet, roofs may project not more than four and one-half (4½) feet into the required minimum setback area;

(e) On setbacks of twenty-five (25) feet or more, roofs may project not more than five (5) feet into the required minimum setback area.

SECTION 2.331 SHELTER CANOPY. A roof-like covering, intended and used for the purpose of sheltering from the rays of the sun and from rain and weather exclusive of vehicles, either persons or inanimate objects. Shelter canopies are partially or entirely supported from the ground up. (2091)

SECTION 2.334 SIGN. An identification, description, illustration or device which is affixed to or represented directly or indirectly upon a building, structure, or land and which directs attention to a product, place, activity, persons, institution or business. The national flag of the United States of America, state flag and flags of political subdivisions within the State of Florida shall not be construed as signs, provided, however that in no case shall more than three (3) flags be flown. (2255)

SECTION 2.334.1 SIGN, AWNING. A sign painted, stamped, perforated or stitched or otherwise applied on the valance of an awning. (2255)

SECTION 2.334.2 SIGN, CAMPAIGN. A sign erected to advocate the candidacy of a party or individual(s) for elective office, an issue, cause or referendum. (2255)

SECTION 2.334.3 SIGN, CANTILEVER. A sign which is mounted upon a cantilever and which does not extend beyond the cantilever. (2255)

SECTION 2.337 SIGN, DETACHED. A sign not attached to or painted on a building, but which is affixed to the ground. A sign attached to a surface such as a fence or wall shall be considered a detached sign.

SECTION 2.337.1 SIGN, DIRECTORY. A sign structure listing the names, and/or use, and/or location of the various businesses or activities conducted within a building or group of buildings. (2255)

SECTION 2.337.2 SIGN, MARQUEE. A sign attached to or constructed upon a marquee. (2255)

SECTION 2.337.3 SIGN, NON-CONFORMING. An advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of this ordinance and any amendment thereto and which fails to conform to all the applicable regulations and restrictions of this ordinance. (2255)

SECTION 2.337.4 SIGN, WALL. A sign painted on the outside of a building, or attached to, and erected parallel to the face of a building and supported throughout its length by such building. (2255)

SECTION 2.34 SINGLE FAMILY RESIDENCE. A private residence building used or designated to be used as a home or residence in which all living rooms are accessible to each other from within the building, and in which the use and management of all sleeping quarters, all appliances for cooking, ventilating, heating or lighting are under one control, and to be occupied exclusively by one (1) family. Doors or other openings constituting more than one front entrance shall be presented to the Board of Adjustment without charge for approval, provided, however, that such doors or other openings are not exits or entrances to a sleeping room. (1518, 1884, 2300)

SECTION 2.340.001 SPECIFIED ANATOMICAL AREAS. For the purpose of this Code, the phrase "Specified Anatomical Areas" shall have the meaning as set forth hereinafter: (2245)

(a) Less than completely and opaquely covered:

(1) Human genital, pubic region,

(2) Buttock, and

(3) Female breast below a point immediately above the top of the areola; and

(b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SECTION 2.340.002 SPECIFIED SEXUAL ACTIVITIES. For the purpose of this Code, the phrase "Specified Sexual Activities" shall have the meaning as set forth hereinafter: (2245)

(a) Human genitals in a state of sexual stimulation or arousal;

(b) Acts of human masturbations, sexual intercourse or sodomy;

(c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

SECTION 2.340.1 SPLIT-ISLAND SERVICE STATION. A split-island service station shall mean an automobile service station providing full service with one or more pump islands devoted to self-service. (2310)

SECTION 2.345 STORY.

(a) That portion of a building included between the upper surface of any floor and the upper surface of the floor next above or if there be no floor above it, then the space between such floor and the ceiling next above it.

(b) A mezzanine which exceeds thirty-three and one- third (33-1/3) percent of the total floor area in that room or story in which the mezzanine floor occurs shall be considered as a story. (See Section 2.255).

(c) That portion of a building between floor and ceiling which is so located that more than one- half (1/2) of the clear height from floor to ceiling is above grade. (See Section 2.075) (2239, 2396).

SECTION 2.35 STREET. A thoroughfare used for public foot and vehicular traffic other than an alley as herein defined, shall be deemed a street.

SECTION 2.36 STREET LINE. The street line is the dividing line between a street and a lot.

SECTION 2.362 SURVEY, CERTIFIED. A Survey, sketch, plan, map or other exhibit is said to be certified when a written statement regarding its accuracy or conformity to specified standards is signed by a registered surveyor, and shall show property corner stakes; property line dimensions; interior property line angles; existing structures, their dimensions and relation to property lines; general elevation of property; all existing utilities and related data; existing right-of-way; easements of record; existing sidewalks; general block plan and other pertinent survey data.

SECTION 2.363 SUBDIVISION. The division of a parcel of land into two (2) or more lots or parcels of land for the purpose of transfer of ownership or building development or if a new street is involved, any division of a parcel of land; provided that a division of land which may be ordered by a Court of competent jurisdiction or a division of land into lots or parcels of four (4) acres or more and not involving a new street shall not be termed a subdivision. The term includes resubdivision, and when appropriate to the context, it relates to the process of subdividing or to the land subdivided.

SECTION 2.364 SWIMMING POOL. A structure of masonry or concrete construction containing a body of water intended for recreational purposes, including a wading pool having a depth of more than eighteen (18) inches and a water surface area of more than two hundred fifty (250) square feet, but not including an ornamental reflecting pool or fish pond located and designed so as not to create a hazard or be used for swimming or wading. (1837)

SECTION 2.364.0001 THEATER, ADULT MOTION PICTURE. An enclosed building used for presenting motion picture films distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" as defined herein, for observation by patrons therein. (2245)

SECTION 2.364.001 TRAILER. Every vehicle without motive power, designed for carrying persons or property on its own structure and for being drawn by a motor vehicle. (1977)

SECTION 2.364.002 TRUCK. Every motor vehicle designed, used or maintained for the transportation or delivery of property. (1977)

SECTION 2.364.003 UNITY OF TITLE. For the purpose of this ordinance, a "Unity of Title" is a written agreement executed by and between a property owner and the City of Coral Gables, whereby the property owner for a specified consideration by the City agrees that the lots and/or parcels of land constituting the building site

shall not be conveyed, mortgaged, and/or leased separate and apart from each other and that they shall be held together as one tract. Such "Unity of Title" shall be recorded in the Public Records of Dade County, Florida and shall run with the land and shall be binding upon the property owner, his successors and assigns. (2347)

SECTION 2.364.01 UNNECESSARY HARDSHIP. Arduous restrictions upon the uses of a particular property which are unique and distinct from that of adjoining property owners in the same zoning district. (1884)

SECTION 2.364.1 VARIANCE. A dispensation permitted on individual parcels of property as method of alleviating unnecessary hardship (see also "necessary hardship") by allowing a reasonable use of the building, structure or property which, because of unusual or unique circumstances, is denied by the terms of the "Zoning Code". (1836, 1884)

SECTION 2.364.2 VEHICLE. Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway or street, except devices moved by human power. (1977)

SECTION 2.364.3 VEHICLE, COMMERCIAL. Any vehicle designed, intended or used as a means for transportation on land of people, goods or things used in trade and traffic or commerce in general. (1977)

SECTION 2.364.4 VEHICLE, MOTOR. Every vehicle which is self-propelled. (1977)

SECTION 2.365 WILD ANIMAL. For the purpose of this Code the phrase "wild animal" is used as a term to indicate animals and reptiles of a species not usually domesticated in the United States and such phrase does not refer to the comparative docility or familiarity with man of a particular animal. Nor does such phrase refer to pets customarily found in and about homes, such as baby turtles, small non-poisonous lizards and the like.

SECTION 2.37 YARD. An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

SECTION 2.38 YARD, FRONT. An unoccupied area between the front property line and the main building, and extending across the full width of the lot.

SECTION 2.39 YARD, REAR. An unoccupied area extending across the full width of the lot between the building and the rear line of the lot.

SECTION 2.40 YARD, SIDE. An unoccupied area between the main building and the side line of the lot and extending from the required front yard to the required rear yard.

3. USE DISTRICTS AND REGULATIONS

SECTION 3.01 USE DISTRICTS. For the purpose of classifying, regulating and restricting the location of trades and industries, and the location of buildings designed for industry, business, residence and other uses, the City of Coral Gables hereby is divided into Use Districts, as follows:

(a) SINGLE FAMILY RESIDENCE USE DISTRICTS, being designated herein and upon the Use and Area Map as "R" Use Districts;

(b) DUPLEX RESIDENCE USE DISTRICTS, being designated herein and upon the Use and Area Map as "D" Use Districts.

(c) APARTMENT USE DISTRICTS, being designated herein and upon the Use and Area Map as "A" Use Districts. (1994)

(d) COMMERCIAL USE DISTRICTS, being designated herein as "C" Use Districts; and which are subdivided, further defined and classified and designated herein and upon the Use and Area Map as "CAA", "CA", "CB" and "CC" Use Districts. (1884)

(e) INDUSTRIAL USE DISTRICTS, being designated herein and upon the Use and Area Map as "M" Use Districts.

(f) PRESERVATION USE DISTRICT, being designated herein and upon the Use and Area Map as "P" Use Districts. (2314)

The Use Districts herein above referred to are designated upon the Use and Area Map and expressly made a part of this code. No building shall be erected, nor shall buildings or premises be used for any purpose other than a purpose permitted by this code in the Use District in which such building or premises is or are located.

SECTION 3.02 USES — DEFINITION. Uses shall be classified and defined as follows:

(a) R-Use. An "R" Use shall be used for a single family residence, as defined herein.

(b) D-Use. A "D" Use shall be used for a duplex or two-family residence, as defined herein.

(c) A-Use. An "A" Use shall be used for an apartment, including efficiency and bungalow court apartments, or as an apartment-hotel, all as defined herein. (1994)

(d) C-Use. A "C" Use shall be any use other than an R, D, A or S Use which is permitted by this code in any CAA, CA, CB or CC Use District; "C" Uses shall be further classified as "CAA", "CA", "CB", or "CC" Uses, which shall be defined as follows: (1884)

(1) A "CAA" Use is any use other than an R, D, A, or S Use, permitted by this code in a "CAA" Use District. (1884)

(2) A "CA" Use is any use other than an R. D, A or S Use, permitted by this code in a "CA" Use District. (1884)

(3) A "CB" Use is any use other than an R, D, A or S Use, permitted by this code in a "CB" Use District, but not permitted in a "CA" Use District. (1884)

(4) A "CC" Use is any use other than an R, D, A or S Use, permitted by this code in a "CC" Use District, but not permitted in a "CA" or "CB" Use District. (1884)

(e) An "M" Use shall be any use for commercial or industrial purposes which is permitted by this code only in "M" Use Districts.

(f) S-USE. An "S" Use shall be any special use as described in Section 3.12 hereof.

(g) P-USE. A "P" Use shall be for the preservation and conservation of natural resources such as wetlands, tidelands, mangroves, marine and wildlife habitats and such other areas or terrain which have qualities of scenic, natural and aesthetic value in its present state as a natural area. (2314)

SECTION 3.03 DESIGNATION OF USES AND USE DISTRICTS. The designation of Use Districts and Uses by letter symbols as set forth herein, when used throughout this code and upon the Use and Area Map, shall have the same effect as if the full description of the Use Districts or Uses were stated. The use of a letter symbol, coupled with a number, shall connote both use and minimum building area, in accordance with Use and Area regulations set forth herein.

SECTION 3.04 R-USE DISTRICTS. In single family residence or R-Use Districts no use shall be permitted other than an "R" Use, except that certain special uses, as described in Section 3.12 hereof, may be permitted after passage of a special authorizing ordinance therefor. In R-Use Districts no buildings or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed to be used, for a D, A, C or M Use as defined herein.

SECTION 3.05 D-USE DISTRICTS. In a duplex residence or D-Use District no use shall be permitted other than an R or D Use, except that certain special uses, as described in Section 3.12 hereof, may be permitted after passage of a special authorizing ordinance therefor. In D-Use Districts, no building or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed to be used, for an A, C or M Use as defined herein.

SECTION 3.06 A-USE DISTRICTS. In an apartment or A-Use District, no use shall be permitted other than a "D" or "A" Use except that certain special uses as described in Section 3.12 hereof may be permitted after passage of a special authorizing ordinance therefor. In an apartment-hotel, the number of hotel guest rooms shall not exceed ten (10) percent of the total number of apartment units and hotel guest rooms. In A-Use Districts no building or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed to be used for an "R", "C" or "M" Use as defined herein. (1994)

SECTION 3.065 CAA PROFESSIONAL OFFICE USE DISTRICT. In CAA Professional Office Use District no building or premises shall be used nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed to be used or occupied for any purpose except for one or more of the following uses: (1547)

1. Abstract Title
2. Accountants – Bookkeeping
3. Actuaries
4. Advertising – no shops
5. Adjusters – Insurance
6. Appraisers (no sales or rentals or any type of merchandise or equipment)
7. Architects
8. Attorneys
9. Auditors
10. Business Analyst – Counselors or Brokers
11. Building Contractors, office only (no shops or storage)
12. Consulates
13. Court Reporter, Public Stenographers
14. Credit Reporting
15. Dentist
16. Detective Agencies and Investment Service
17. Engineers, Professional
18. Insurance and Bonds
19. Manufacturers Agents
20. Market Research
21. Medical Doctors
22. Model Agencies (no schools)
23. Mortgage Broker
24. Notary Public
25. Optometrist
26. Public Relations
27. Real Estate
28. Real Estate Management
29. Secretarial Service
30. Stock Brokers Exchange – Investment Service
31. Tax Consultant
32. Telephone Answering Service
33. Planning & Zoning Consultants
34. All other similar administrative offices or businesses which are not obnoxious or detrimental to the welfare of the particular area any more than the enterprises or businesses herein enumerated. These shall be determined by the Board of Adjustment upon application. (1908, 2300)

SECTION 3.07 CA-USE DISTRICTS. In CA-Use Districts no building or premises shall be used nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed for an "R", "D", "CB", "CC" or "M" Use as defined herein. In a CA-Use District only "A" or "CA" Uses, as defined herein, and Special Uses as defined in Section 3.12 hereof shall be permitted. A CA-Use shall be carried on entirely within buildings completely enclosed with walls and roof, and provided no operations are of such nature as to become offensive or obnoxious to the adjacent premises devoted to or adopted for other uses. For the purpose of this code CA Uses hereby are defined as follows: (1994)

1. Apartment buildings subject to the requirements, limitations and restrictions applicable to the construction of apartments in "A" Use Districts, including but not limited to the following: (1908, 1994)
   (a) Set-backs
   (b) Density
   (c) Building Site Area
   (d) Height
   (e) Lot Coverage
   (f) Floor Area Ratio
   (g) Useable Open Space
   (h) Offstreet Parking

1.5 Apartment-Hotel buildings subject to the requirements, limitations and restrictions applicable thereto including but not limited to the following: (1994)
   (a) Set-backs
   (b) Density
   (c) Building Site Area
   (d) Height
   (e) Lot Coverage
   (f) Floor Area Ratio
   (g) Useable Open Space
   (h) Offstreet Parking

2. **Antique and curio shops.**
3. **Art goods stores.**
4. **Artists' studio.**
5. **Banks, trust companies, savings institutions, finance companies and other similar financial institutions.**
6. **Barber shops and beauty shops.**

7. Book stores, except adult book stores. (2245)
7.5 Building, plumbing and electrical contractors – office only – no shop or storage (1541)
8. China, crockery, glassware and earthenware stores.
9. Cigar and cigarette stores.
10. Clinic, Medical or Dental (establishments where two or more medical or dental practitioners have offices together with consultation rooms, laboratories, and other common facilities).
11. Confectionery and ice cream stores.
12. Cosmetic, perfumes and toiletries stores.
13. Department and dry goods stores.
14. Drug and sundry stores.
14.1 Employment Agencies, Placing Executives Only. (1820)
15. Florist shops (does not include the growing of plants).
16. Furniture stores (retail only) similar to Simms located at 450 Biltmore Way, Coral Gables, Florida.
17. Haberdashery shops.
18. (Deleted) (1541)
19. Hobby supplies.
19.5 Hotels (1994)
20. Insurance agencies and offices.
21. Interior decorating, costuming, drapery stores. Retail only, no work to be done on premises. (1541)
22. Jewelry stores.
23. Leather goods stores.
24. Luggage shops.

25. Millinery shops.
26. Modiste wearing apparel and furriers.
27. Motel.
28. Music, radio, television and electrical appliance stores. (retail only)
29. Office for business and professional purposes.
30. Office supply and equipment stores. (retail only)
31. Optical stores.
31.1 Parking Lots, Automobile – Auxiliary or Accessory to any CA Use. (1820)
32. Parking Lots — Commercial.
33. Photo equipment and supplies.
34. Photographers, photograph galleries.
35. Post Office.
36. Real Estate Offices.
37. Shoe Stores.
38. Souvenir stores.
39. Sporting goods stores.
40. Stationery stores.
41. Stock exchanges and brokerage offices.
42. Special uses as defined under Section 3.12 herein.
43. Telegraph and telephone offices (does not include telephone exchanges).
44. Theaters and motion picture houses, except the following:

    (a) Open air or drive-in type; and

    (b) Adult motion picture theaters (2245)

44.3 Ticket offices for airplane, bus and railroad. (1541)

44.6 Travel agencies. (1541)

45. Or other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the businesses or enterprises herein enumerated. These enterprises shall be determined by the Board of Adjustment upon application. (1908, 2300)

SECTION 3.08 CB-USE DISTRICTS. In CB-Use Districts, no building or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed for an R, D, A, CC or M Use as defined herein. In a CB-Use District only CA and CB Uses, as defined herein and Special Uses, as defined in Section 3.12 hereof, shall be permitted. A CB-Use shall be carried on entirely within buildings completely enclosed with walls and roof, and provided no operations are of such a nature as to become offensive or obnoxious to the adjacent premises devoted to or adopted for other uses. For the purpose of this code CB Uses hereby are defined as follows:

1. Every use permitted in a CA-Use District.
2. (Deleted) (1541)
3. Automotive accessory store – no work or installation of equipment on premises. (1541)
4. Bake shops, retail only, provided no baking shall be permitted on the premises.

4.5 Bicycle stores – sales, rental and repair. Parking and storage of bicycles to be within the building. (1541)

5. Boats – display and sale – in a building only.
6. Bowling lanes (in wholly air-conditioned and sound-proof buildings).
7. Broadcasting stations.
8. Car, new, sales and service, authorized dealer for, must have building the minimum size of which is to be as required for "C" Use Buildings. The service area shall be located in the rear of the building and there shall be no entrances or exits from the front of the building. No repair or sale of cars taken in on trade shall be permitted. (1541)
9. Catering.
10. Cleaning and Laundry Agencies, where no gasoline or explosives of any kind are stored or used therewith and provided no cleaning or laundry shall be done on the premises.
11. Conservatories.
12. Dairy products (retail only).

12.5 Dental laboratories (1541)

13. Display stores.
14. Dressmaking and alteration shops for wearing apparel, custom only. (1541)

14.5 Dry cleaning establishments: Provided: (a) that no gasoline or explosives of any kind are stored on the premises or used in connection therewith; (b) that perchlorethylene cleaning fluid only is used; (c) that only gas fired or electric boilers shall be used; (d) that no noise, odors, obnoxious fumes or smoke shall be emitted from the building; (e) that the entire installation shall be subject to approval by the City Fire Department or Fire Prevention Bureau; (f) that off-street parking shall be provided as set forth under Section 8.04. (1541)

15. Employment agencies.
16. Fruit store (retail only).
17. Grocery stores.
18. Hardware store.
19. Hobby supplies.
20. Hospital or sanitarium, public or private, convalescent home, nursing home.
21. Interior decorating, no work to be done on premises. (1541)
22. Leather goods.
23. Loan agencies (excluding pawn shops).
24. Lodge halls and convention halls.
25. Luggage shop.
26. Mail order offices, without storage of products sold.
27. Meat market, retail only (except the handling of live poultry).

27.3 Medical Laboratory (1541)

27.7 Mimeographing (1541)

28. (Deleted) (1623)
29. Music, Radio, Television and Electrical appliance stores (retail only).
30. News stands, provided the business is carried on within and under cover of a building as defined by this ordinance.
31. Paint stores (retail only).

31.1 Parking Lots, Automobile – Auxiliary or Accessory to any CA or CB Use. (1820)

32. Parking lots — Commercial.
33. Pet shops (caged birds and fish only).
34. Photo equipment and supplies.

34.3 Photograph developing and printing. (1541)

34.7 Photostating and photocopying. (1541)

35. Post Office
36. Plumbing fixture stores.

36.5 Rentals (formal wear and costumes). (1541)

37. Repair shops for electrical appliances, radio, television, jewelry, watches, typewriters, business machines, cameras and golf clubs. (1541)
38. Restaurants, Cafes, Cafeterias and Delicatessen. Retail liquor store licenses may be issued limiting

the number of permitted licenses for the sale of alcoholic beverages and intoxicating liquors subject to the following minimum conditions, restrictions and limitations: (2062)

(a) Accomodations for service of two hundred (200) or more patrons at tables at one setting shall be provided.

(b) The gross floor area of the restaurant (outside wall dimensions) including dining room, kitchen area, rest rooms, and any other enclosed area used for operation of the restaurant shall be not less than four thousand (4,000) square feet.

(c) The sale of alcoholic beverages or intoxicating liquors from bars shall not be permitted.

(d) The serving of or consumption of alcoholic beverages or intoxicating liquors shall be at restaurant tables only (no counters) from an area not visible from the dining room at which food is regularly served.

(e) No such licenses may be issued except to places of business where the principal and primary business consists of dispensing and serving of food.

(f) The sale of alcoholic beverages and intoxicating liquors shall be only an incident to the sale and consumption of food.

(g) Alcoholic beverages and intoxicating liquors shall only be consumed at tables in conjunction with the service of meals.

(h) Total receipts from the sale of alcoholic beverages and intoxicating liquors shall not exceed forty percent (40%) of the total annual gross receipts of such restaurant.

(i) Nightclub or lounge type entertainment or a musical organization of more than three (3) musicians and/or vocalists shall not be permitted.

(j) The restaurant shall carry stock of food sufficient to serve regular full-course meals to a maximum of two hundred (200) patrons at all times, excluding so-called "frozen dinners."

(k) Restaurants qualifying and holding a retail liquor store license shall always be subject to inspection by the City Manager or his designee for the purpose of determining that such restaurants are complying with the aforementioned requirements.

(l) The restaurant shall have no signs advertising such retail liquor store, or the sale of alcoholic beverages or intoxicating liquors therein, upon the exterior, or to be visible from the exterior of any such restaurant.

(m) The retail liquor store license shall not be severable from the restaurant license in conjunction with which it is issued.

(n) The distance requirement for such retail liquor store license shall be in accordance with Section 4.11 hereof.

Retail beverage store license may be issued to bona-fide restaurants of fifty (50) seats or over subject to the following conditions, restrictions and limitations: (2206)

(a) The number of such licenses shall be as permitted by the Charter or state law;

(b) The sale of alcoholic beverages from bars shall not be permitted.

(c) The serving of or consumption of alcoholic beverages shall be at restaurant tables or counters at which food is regularly served;

(d) No licenses may be issued except to places of business where the principal and primary business consists of dispensing of food;

(e) Food shall be prepared, offered and served during all business hours in all retail beverage stores;

(f) No retail package beverage store license shall be issued to any holder of a license for a retail beverage store;

(g) The restaurant shall have no signs advertising the sale of alcoholic beverages upon the exterior, or to be visible from the exterior of any such restaurant;

(h) The distance requirement for such retail beverage store license shall be in accordance with Section 4.11 hereof.

38.1 Restaurant drive-in service windows and drive-in and/or walk-up tellers may be approved as a conditional use subject to the following: (2353)

a. That each application for such use shall be made to the Planning and Zoning Board.

b. That architectural plans, including a site plan, shall be submitted with the application. The plans shall have been approved by the Board of Architects and such plans shall have also been reviewed and a favorable recommendation made by the City of Coral Gables Public Works Department. Such plans shall show location and dimensions of all proposed structures, adequate on-site storage or stacking lanes, adequate off-street loading areas; adequate landscaping, adequate refuse and service areas, adequate yards and open space and provisions for ingress and egress of traffic and pedestrians. The plans shall also show all proposed signs and lighting. The operation of such restaurant drive-in service windows and/or drive-in and/or walk-up tellers shall be so conducted that it will not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets, alleys, or sidewalks. (2381)

c. That the Planning and Zoning Board shall hold a public hearing at which all interested persons shall be afforded an opportunity to be heard.

d. That the recommendations of the Planning and Zoning Board, on each application, shall be submitted to and be acted upon by the City Commission, and

e. That in approving any conditional use, the Planning and Zoning Board may recommend and the City Commission may prescribe appropriate conditions and safeguards in conformity with the provisions of the "Zoning Code." Violations of such conditions and safeguards, when made part of the terms under which the conditional use is approved, shall be deemed grounds for revocation of the conditional use and punishable as a violation of the "Zoning Code."

39. Retail package beverage stores, retail beverage

stores, retail package liquor stores and retail liquor stores. (See Section 4.11 for distance requirements). (2206)

39.5 Sauna and Whirlpool facilities (Only upon approval by the City Commission). (2400).

40. Schools, business and liberal arts. (1541)

41. Shoe repair shops.

42. Slenderizing salons.

43. Sporting goods stores.

44. Studios for art, music, dancing and drama where pupils are taught, but not permitting dancing or any entertainment to which the public is admitted or which is a source of nuisance.

45. Surgical and orthopedic appliance sales.

46. Tailor shop.

47. (Deleted) (1541)

48. Telegraph stations.

49. Telephone answering service, may include the licensing upon the premises thereof of certain businesses which by their inherent nature require no office space, no signs, no direct sales of merchandise and no storage or display of materials, goods or supplies relating to the operation of such business e.g. factory representatives, insurance salesmen, consultants and etc. (2238)

These businesses shall be determined by the Zoning Administrator upon application. An appeal from a decision of the Zoning Administrator may be taken to the Board of Adjustment, as provided for under Section 11.13 herein. (2238, 2300)

50. Telephone exchange.

51. (Deleted) (1541)

52. Upholstering shop, provided the business is limited to recovering of furniture only, painting or repainting is done elsewhere, show room and office is in front of store separated from work area by a partition and a temporary license be issued subject to cancellation on justifiable complaint.

52.5 Wig making – custom only. (1541)

53. Or other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses herein enumerated. These enterprises shall be determined by the Board of Adjustment upon application. (1908, 2300)

SECTION 3.09 CC-USE DISTRICTS. In CC-Use Districts, no building or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed for an R, D, A, CA or M Use as defined herein. In a CC-Use District only CB and CC Uses ,as defined herein and Special Uses, as defined in Section 3.12 hereof, shall be permitted. A CC-Use shall be carried on entirely within buildings, completely enclosed with walls and roof, and provided no operations are of such a nature as to become offensive or obnoxious to the adjacent premises devoted to or adopted for other uses. For the purpose of this code CC Uses hereby are defined as follows:

1. Every Use permitted in a CB-Use District. (1924)

2. Auto repair shop for mechanical, electrical, body and upholstery repairs.

3. Service Stations. (See Section 4.10 for Distance Requirements; See Section 2.06 for work permitted to be performed by an automobile service station.) (1541, 2310)

4. Assembly of electrical appliances, electronic instruments and devices, radios, phonographs and television sets.

4.5 Awning stores and shops, for making of cloth awnings or canopies for retail sales to the ultimate consumer only (5,000 square feet maximum floor area). (1541)

5. Bakery.

6. Beverage and Liquor distributors.

7. Cleaning, pressing and dyeing plants for treatment of wearing apparel not being operated in accordance with Paragraph 14.5 of Section 3.08. (1541)

8. Confectionery manufacturing (5,000 square ft. maximum floor area).

9. Day Nurseries.

9.5 Doughnut Shop: permits cooking of doughnuts on the premises, retail and wholesale sales and delivery of doughnuts. (1659)

10. Fish market (only upon special permission of the City Commission).

11. Funeral homes.

12. Garage, public, including parking garage.

13. Glass and mirror shops.

14. Health and athletic clubs (Only upon approval by the City Commission). (1541, 2245)

15. Jewelry assembling from such prepared materials as the following: Precious or semi-precious metals or stones, bone, cellophane, feathers, glass and plastics.

15.3 Lawn and garden shop. (1541)

15.7 Lawnmower rentals and repair. (1541)

16. Locksmith shops.

17. (Deleted) (1541)

17.5 Motorcycles, motor scooters, motor bikes, sales, rentals and repair of. Parking and storage of such vehicles shall be within the building. (1623)

18. Motion picture, television and recording studios (in wholly soundproof buildings).

19. (Deleted) (1541)

20. Blueprinting. (Must provide proper ventilation). (1541)

20.1 Parking Lots, Automobile – Auxiliary or Accessory to any CA, CB or CC Use. (1820)

21. Picture framing – custom made frames for retail to ultimate consumer. (1541)

22. Printing shops and addressing. (1541)

23. Private schools (not specifically designated as CB-Use).

24. Publishing companies.

24.3 Radiator cleaning – flushing and repair. (1541)

24.7 Rental of small hand and power tools. (1541)

25. (Deleted) (1541)

26. Shops for repair of any merchandise permitted to be sold in any C-Use District.

26.5 Slot racing. (1541)

27. Storage in fireproof warehouses of clothing, dry goods, furniture, hardware and household goods.

28. Sign painting shops, subject to approval of proper ventilation and paint booths by the Fire Department.

29. Transfer companies.

30. Or other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses herein enumerated. These enterprises shall be determined by the Board of Adjustment upon application. (1908, 2300)

SECTION 3.10 M-USE DISTRICTS. In M-Use Districts no building or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed for an R, D, A, CA or CB Use as defined herein or designed for any use prohibited in the City of Coral Gables by this code or by any other ordinance; nor shall any use be permitted which by reason of noise, odors, noxious fumes, smoke or otherwise shall constitute a nuisance to residents in adjoining R, D, A or CB Use Districts. In an M-Use District only M or CC Uses as defined herein and Special Uses, as defined in Section 3.12 hereof, shall be permitted. For the purpose of this code M Uses hereby are defined as follows:

1. Every Use permitted in a CC-Use District. (1924)

1.5 Adult book store, adult motion picture theater and massage salon. (2245)

2. Auto Laundries (car wash).
3. Beauty shops (for dogs and cats — no boarding).
4. Beverages, Bottling, such as Coca-Cola, 7-Up, Royal Crown Cola, Pepsi-Cola, etc., but not including any intoxicants.
5. Boat Building.
6. Cabinet making, carpentry shops.
7. Carpet cleaning.
8. Car Lots, used.
9. Cement products, such as concrete blocks, pipe, etc., provided the area is enclosed by a six foot (6') high wall. (Does not include manufacturing). Must have building for office. (1541)
10. Cigar and cigarette manufacturing.
11. Commercial laundries.
12. Commercial self-service laundries.
13. Concrete products manufacturing (only upon special permission from the City Commission).
14. Contractors yards, lumber yards and building supplies, provided the area used is enclosed by a 6' high wall.

14.5 Contractors shops including storage of supplies. (1541)

15. Electro plating.
16. Fortune tellers, clairvoyants, etc.
17. Furniture manufacturing.
18. Garment manufacturing.
19. Hat manufacturing.

19.1 Heliport. Approved as a conditional use subject to the following regulations: (2147, 2300)

(a) That each application for such use shall be submitted to the Planning and Zoning Board.

(b) That site plans shall be submitted with the application which shall have been approved by the Board of Architects.

(c) That the Planning and Zoning Board shall hold a public hearing at which all interested persons shall be afforded an opportunity to be heard, and

(d) That the recommendation of the Planning and Zoning Board on each application shall be submitted to and be acted upon by the City Commission.

20. Ice plants.
21. Leather goods manufacturing (excluding any tanning).
22. Machine shops.
23. Metal awning or metal canopy, manufacturing or assembly.
24. Metal fabricating.
25. Musical instruments, toys, novelties, rubber and metal stamps, manufacture of.
26. Nursery — growing trees, plants, flowers and the like — must have building for office.
27. Ornamental iron and metal working shops (does not include foundry or blacksmith shops).

27.1 Parking Lots, Automobile – Auxiliary or Accessory to any CA, CB, CC or M Use. (1820)

28. Paint mixing, wholesale, building to be used for such purpose must be approved by Fire Department.

29. Pawn shops, swap shops and trading posts.
30. Petroleum products dealers or distributors where products are stored on the premises.
31. Plastic articles, including novelties (Manufacturing of).
32. Public utility service yards or electrical receiving or transformer stations, provided the area is enclosed by a six foot (6') high wall. (1541)
33. Quick freeze meat processing plant — no fish or live poultry.
34. Radio and television towers and transmitters — shall be approved by CAA, FCC and the structural engineer of the City of Coral Gables.
34.5 Rental of heavy and light machinery. (1541)
35. Research Laboratories.
36. Screens for windows, patio and etc. – assembling or manufacturing.
37. Second hand dealers for the disposal of furniture, fixtures, tools, clothing, household appliances and the like. (1541)
38. The manufacture, compounding, processing, packaging or treatment of such products as cosmetics, perfumes, pharmaceuticals and toiletries, provided no toxic or corrosive fumes, offensive odors or dust are permitted to escape from the building.
39. The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
40. Tinsmiths, roofers and plasterers.
41. Tire, automobile, vulcanizing shops and recapping shops. (1541)
42. Tool and die shops.
43. Venetian blind manufacturing.
44. Veterinarian clinics and animal hospitals (provided the building is properly soundproofed and no animal shall be permitted to remain on the premises over night.
44.5 Warehouse establishments. (1541)
45. Welding shops (does not include blacksmith shop).
46. Or other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses herein enumerated. These enterprises shall be determined by the Board of Adjustment upon application. (1908, 2300)

SECTION 3.10.1 P-USE DISTRICTS. In Preservation or P-Use Districts no use shall be permitted other than a "P" Use and any property designated as a preservation district shall be limited and restricted as follows: (2314)

1. The property, together with any black or red mangrove forest thereon, shall be kept and preserved in its natural state as a natural wilderness and preserve.
2. The use of motor vehicles in a preservation area shall be prohibited except in cases of emergency involving public health.
3. No man-made alterations shall be made in a preservation area except:
   (a) To protect the property and any black or red mangrove forest thereon from damage by natural elements, and/or
   (b) To protect or restore to its natural state any property damaged by the platting of adjoining properties and which is in danger of being eroded, or otherwise materially affected by natural elements,
   (c) To provide nature trails, walkways and bird watch areas, subject to the approval of the City Commission,

   and then only after obtaining such permits as may be required by local, state and/or federal authorities and permission (whether permits are necessary or not) from the Board of Trustees of the Internal Improvement Trust Fund, the Department of Environmental Regulation, or their successors in interest.
4. No buildings or structures shall be erected in a preservation area.
5. A preservation area shall not be used for residential, commercial, agricultural or recreational purposes.

   For the purpose of this code "P" uses are hereby defined as follows:
   (a) Wetlands
   (b) Tidelands
   (c) Mangroves
   (d) Marine and wildlife habitats, and
   (e) Such other areas or terrain which have qualities of scenic, natural and aesthetic value in its natural state.

SECTION 3.11 SPECIFIC NON-COMPLYING OR QUALIFIED USE WITHOUT CHANGE OF USE DISTRICT. The City Commission may, by ordinance, after a public hearing having been held before the Planning and Zoning Board, at which persons interested shall be accorded an opportunity to be heard, permit a specific use of a particular premises for a less restrictive or lower classification than that permitted in the Use District in which the premises are situated, without permitting any other uses of less restricted or lower Use classification upon the premises. In such cases the property shall be zoned and designated by the letter symbol "X" placed before the basic Use District symbol, i.e., premises zoned and designated "XCB" may be used for a specifically named use, such as automobile service station, but not for any other or lower classification than "CB", and but for the specifically named use, the premises shall be restricted to "CB" Use. The letter symbol "X" may also be used to designate some other deviation, restriction or qualification from or to the basic use requirement. The Commission may provide that upon cessation of the specific lower class or deviation or conditional use (designated by the letter symbol "X" as above provided) for a continuous period of six months, the use of the premises shall revert to the previous and more restricted use classification. (1884, 2300)

SECTION 3.12 SPECIAL USES. The following special uses, which do not fall within the definition of R, D, A or C Uses, will be permitted in any M or C Use District and may be permitted in any R, D or A Use District only after a special ordinance granting permission for such

use shall have been passed and adopted by the City Commission, after a public hearing before the Planning and Zoning Board at which persons interested shall be accorded an opportunity to be heard. (1884, 2300)

(a) Golf or tennis grounds, or similar use.
(b) Church, convent or parish house.
(c) Private club as defined under Section 2.28 herein. The business of a club vendor as defined or classified under Section 2.12 herein may be conducted from and upon the premises of a private club which shall have been in continuous active existence and operation for a period of not less than two (2) years in Dade County. (See Section 4.11 for distance requirements). (2206)
(d) Public recreation building, park or playground.
(e) Community Center Building.
(f) Music school, public school, private school, boarding school or college, unless such private school, boarding school or college is operated so as to bring it within the definition of a C Use.
(g) Police station, fire station or other municipal building or facility.
(h) Public library, museum or art gallery.

SECTION 3.13 SPECIAL USES — DESIGNATIONS AND RESTRICTIONS. Any ordinance permitting special uses as provided in Section 3.12 hereof shall be construed as permitting only the specifically named or described special use, and not any other special use. Any property or premises designated upon the Use and Area map by the letter symbol "S" alone shall be restricted to the specific special use permitted, and may be used for no other use whatsoever. Any property or premises designated by the letter symbol "S" before and in conjunction with the letter symbol for an R or D Use District shall be restricted to use for the particular special use specified or for a use permitted in the designated Use District, i.e., the letters "SR" shall denote a special use permitted in an R Use District, and the premises so designated may be used only for the specific special use permitted or for single family residences; and the letters "SD" shall denote a special use permitted in a D Use District, and the premises so designated may be used only for the specific special use designated, or for single family or duplex residences.

SECTION 3.14 AUXILIARY OR ACCESSORY USES, GENERAL. Except as otherwise provided herein, auxiliary or accessory uses, which do not alter the character of the premises in respect to their basic use, shall be permitted in connection with all uses. Specific enumeration hereinafter mentioned or permissible auxiliary or accessory uses shall not be deemed to prevent other proper auxiliary or accessory uses not so enumerated. Subject to provisions of this or other ordinances of this city, an auxiliary or accessory use may include a subordinate building or portion of the main building, the use of which is incidental to the main building and which is located on the same building site as the main building. No subordinate and accessory building or structure permitted as an auxiliary use may be constructed before, but may be built concurrently with, the main building, nor shall any such building be completed before the main building is completed, except as to interior trim and decoration, or be used or occupied before the main building is completed.

SECTION 3.15 AUXILIARY USE — PRIVATE GARAGE, GARAGE APARTMENT. A private garage, or garage apartment providing living quarters for the use only of members of the family living in the main residence building or servants employed on the premises, will be permitted with R and D uses as an auxiliary use. Occupancy of garage apartments in R and D Use Districts shall be limited to members of the family living in the main residence or to servants employed on the premises. Only one private garage or garage apartment shall be permitted upon the building site occupied or used for the main residence. No kitchen or cooking facilities shall be permitted in private garages or garage apartments in R and D Use Districts.

SECTION 3.16 AUXILIARY USE — APARTMENT GARAGES. An apartment garage will be permitted in connection with A Uses as an auxiliary use. Only one apartment garage shall be permitted on the building site occupied or used by the main building.

SECTION 3.17 AUXILIARY USES — APARTMENTS AND HOTELS, GENERAL. Subject to any limitations in this code or in other ordinances of the city, such facilities as are required or useful for the operation of a hotel or apartment house, or for the use or entertainment of guests or tenants of the hotel or apartment house shall be permitted as auxiliary uses thereto, when conducted and entered only from within the building.

SECTION 3.18 AUXILIARY USES – HOTELS AND MOTELS. A public dining room or restaurant shall be permitted as an auxiliary use in any hotel. Hotels with one hundred (100) or more guest rooms may contain business establishments of CA or CB classification as auxiliary uses, providing the exterior of the building shall not contain store fronts or have the appearance of commercial or mercantile activities or any display of articles or services for sale which are visible from the exterior of the building, or on the grounds facing a public highway or water frontage, and providing further that places of business established under the provisions of this section shall only be entered from within the building. Hotels and motels with one hundred (100) or more guest rooms may contain a retail liquor store, as an auxiliary use, provided that such retail liquor store shall have no entrances or exits thereto except from within the hotel or motel itself and not from the exterior of any such hotel or motel or from any street; and no signs advertising such retail liquor store, or the sale of alcoholic beverages or intoxicating liquors therein, shall be permitted upon the exterior, or to be visible from the exterior, or any such hotel or motel. (2063)

SECTION 3.19 AUXILIARY USE — BOAT HOUSES. A boat house shall be permitted as an auxiliary use to any use permitted upon property abutting the Coral Gables Waterway or other canal or waterway or Biscayne Bay. Every boat house shall maintain the same minimum set back from the platted canal line or bay front as established for the main structure permitted on the property. Every boat house and boat slip shall maintain the same minimum setback from the side lot line as established for the main structure permitted on the property. Occupancy of living quarters in any boat house shall be restricted in R and D Use Districts to occupancy by members of the family residing in the main residence building or to servants employed on the premises. No kitchen or cooking facilities shall be permitted in living quarters in boat houses in R or D Use Districts. An escape ladder shall be provided from the water at some point in the boat house or between the boat house and the canal or bay. The eave line of the boat house shall not exceed in height the eave line of the main residence building. A wall or fence four feet (4') in height shall be provided so as to contain the boat house and its access to the canal or bay within the rear yard of the property.

SECTION 3.20 AUXILIARY USE — PLAYHOUSES. A playhouse shall be permitted as an auxiliary use to any R, D or A Use, subject to the following conditions and restrictions:

(a) Such playhouse shall be of concrete block stucco construction with tile roof.
(b) The ground dimensions thereof shall not exceed 12 feet x 12 feet;
(c) The head room therein shall not exceed 5 feet;
(d) No plumbing facilities or fixtures shall be installed

therein; and

(e) Such playhouse shall be screened by shrubbery to obscure the view of such playhouse from the street.

SECTION 3.21 AUXILIARY USE — UTILITY ROOM OR BUILDING. A separate utility building, or the use of a portion of the main building therefor, shall be permitted as an auxiliary use to any A Use, and in connection with any motel. Such separate building or part of the main building shall be restricted to use for laundry facilities, for housing of electrical meters or other electrical equipment, toilet facilities, and storing of tools or equipment used on the premises, and, in the case of motels, shall be located at the rear of the building site.

SECTION 3.22 AUXILIARY USE — STORAGE BUILDING. A separate building for the storage of storm shutters and other similar adjuncts to the main building or for the storage of garbage and trash cans and to keep the same from being exposed to the public view (providing, however, that proper facilities shall be made for cleaning same as required by standard health practices), shall be permitted as an auxiliary use to any C or M Use. Such building may be erected only at the rear of the property upon which it is to be located, and within a radial distance of one hundred feet (100′) from the main building, and under no condition shall there be more than one such building erected upon a building site.

SECTION 3.23 NON-CONFORMING USES. A non-conforming use lawfully existing on February 16, 1937, the date of passage of Ordinance No. 271 of the City of Coral Gables, may be continued subject to the following conditions:

(a) A non-conforming use shall not be extended, but the extension of a use at any portion of a building which was arranged or designed for such non-conforming use on February 16, 1937 shall not be deemed the extension of a non-conforming use.

(b) A building designed or devoted to a non-conforming use may not be added to or structurally altered to an extent exceeding an aggregate cost, during any ten-year period, of fifty (50) percent of the value of the building, unless the use of the building is changed to a conforming use. The "value of the building" as used herein shall be construed to be the estimated cost of replacement of such building at the time of consideration.

(c) A non-conforming use, if changed to a more restricted non-conforming use shall not thereafter be changed to a still more non-conforming use.

(d) A non-conforming use shall not be changed, unless changed to a more restricted use, providing that in R, D or A Use Districts an M Use shall not be changed unless changed to a conforming use.

(e) A non-conforming use shall not be continued, if by reason of odors, noxious fumes, smoke, noise or otherwise it shall become a nuisance to residents in adjoining R, D or A Use Districts.

(f) Whenever a non-conforming use of a building has been discontinued for a period of one year or more, such non-conforming use shall not thereafter be re-established, and the future use shall be in conformity with the provisions of this code.

(g) Nothing herein contained shall validate any non-conforming use existing on February 16, 1937, the effective date of Ordinance No. 271, and not permitted hereby.

SECTION 3.24 AUXILIARY USE — PRIVATE SWIMMING POOL. A private swimming pool shall be permitted as an auxiliary use to any R, D, A, C or S Use, subject to requirements set forth in this ordinance and in Ordinance No. 1052.

SECTION 3.25 COMMERCIAL PARKING LOTS. A commercial parking lot or lots may be operated in commercial or industrial use districts, subject to the following conditions: (1969)

(1) The owner or operator thereof may erect signs in accordance with the provisions of existing ordinances passed, dealing with the erection of signs on parking lots.

(2) For the purpose of this ordinance the word "commercial" shall and does mean that the owner or operator of said commercial parking lot may make and collect fees or charges for the use thereof.

(3) Nothing contained herein shall be construed as permitting "commercial parking" for any part of any off-street parking facility required by Section 8.04 of this ordinance and provided for any building or use to meet the requirements of this ordinance.

(4) Off-street parking spaces for which fees or charges are included as a part and parcel of the rental fees of space in a building shall not be construed as being used for "commercial parking."

(5) Nothing contained herein shall prohibit the use of the land for which it was originally zoned.

SECTION 3.26 AUXILIARY USE — SCREENED ENCLOSURES. A structure whose openings are composed of screening shall be permitted as an auxiliary use in connection with an R, D, A or S Use, provided a major portion of one wall of the screened structure shall be a part of the main building or of a permitted auxiliary building located on the premises, subject to the following conditions and limitations:

1. **Plans:** Every application for a permit to erect a screened enclosure in the City of Coral Gables shall be accompanied by two sets of detailed plans and structural drawings. The plans shall show all elevations of all facades of the building to which it is to be attached. The plans shall be designed by an architect or engineer registered under the laws of the State of Florida and the structural drawings shall be prepared by an engineer registered under the laws of the State of Florida.

2. Street Elevations. In all cases where an elevation of screened enclosure is visible from a street, such elevation shall be constructed of masonry which may be either solid, louvered, pierced, open brick, decorative block or ornamental block as shall be approved by the Board of Architects to be in harmony with the main building. (2026)

   The Board of Architects shall require such architectural changes on the elevations of such screened enclosures as in its judgement may be requisite or appropriate in maintaining a high standard of construction, architecture, beauty and harmony with the surrounding area. (2026)

3. **Height:**

   (a) Where a screened enclosure is to be attached to a one story building the height of the screened enclosure shall not exceed the height of the eave line of the affected elevations providing, however, that where the design and/or other attendant and connected circumstances and features of such building and screened enclosure justify a greater height the Board of Architects may approve such height.

   (b) Where a screened enclosure is to be attached to a two story building the height of such enclosure shall not exceed ten feet (10′) providing, however, that where the design and/or other attendant and connected circumstances and features of such building and screened enclosure justify a greater height the Board of Architects may approve such height. The height shall be taken as the mean ground level of the building upon which the screened enclosure is to be attached.

4. **Maximum Ground Area Coverage:** In no case shall the main building or structure exceed thirty-five (35) percent of the lot or lots composing the building site, and the total ground area permitted to be occupied by the main building or structure and permitted auxiliary structures shall not exceed forty-five (45) percent of the site upon which the structures are located, provided however, that in no case shall a screened enclosure be permitted to exceed two-thirds (⅔) of the ground area of the main building on the premises.
5. **Setbacks:** Except as specifically prescribed herein to the contrary, no screened enclosure shall be located closer to a side or rear lot line than a minimum of ten feet (10').
6. **Approval of Plans:** No permit shall be issued for the erection of a screened enclosure until such plans shall have been approved by the Board of Architects.

SECTION 3.27 AUXILIARY USE — BOMB SHELTER AND/OR FALLOUT SHELTERS. A building designed to be used as a bomb shelter and/or fallout shelter shall be permitted as an auxiliary use to any R, D, A, C, M or S Use subject to the following conditions and restrictions:

(a) Such shelters shall be designed and constructed in accordance with accepted engineering structural principles which shall be subject to approval by the structural engineer and the building official of the City of Coral Gables.

(b) Such shelters may be attached to the main building or constructed as a detached building provided, however, that the design thereof conforms to the design of the main or principal building.

(c) Such shelters may be constructed with a flat roof provided that the maximum height of the shelter shall not exceed four feet (4') above grade.

(d) Such shelters shall be subject to approval by the Board of Architects for architectural design.

(e) Setbacks shall be in accordance with Section 6.03 of this Ordinance. (1884)

SECTION 3.28 CONVERSION OF R, D, A OR S BUILDINGS IN MANUFACTURING AND COMMERCIAL USE DISTRICTS FOR C OR M USES. The use of a building which is designed or denoted to be used for R, D, A or S Use shall not be used for commercial or manufacturing purposes unless such use is approved by the Board of Adjustment. (1884, 1908, 2300)

SECTION 3.29 AUXILIARY USE — GREEN HOUSE. A Green House shall be permitted as an auxiliary use to 'R', 'D' or 'A' Uses, subject to the following conditions and restrictions, to-wit: A Green House, restricted to the sole purpose of raising plants and flowers shall be permitted as an auxiliary use to 'R', 'D', or 'A' Uses, subject to the following conditions and restrictions, to-wit: (1495)

(a) Such green houses shall be constructed of:
   (1) A pipe frame covered with chain link fencing material and/or dark green plastic screen.
   (2) A pipe frame covered with chain link fencing material and/or dark green plastic screen located on top of a masonry wall, provided such masonry wall does not exceed a height of four (4') feet above finished grade.
   (3) Glass in metal frames, provided where masonry is used in the walls of such construction, such masonry walls shall not exceed a height of four (4') feet above finished grade.
   (4) A pipe frame covered with galvanized expanded metal, painted green. (1538)

(b) In those instances where a greenhouse is constructed of chain link fence material, such green house shall be covered, at all time, with dark green plastic screen, provided, however, such plastic screen may be removed in the event of a hurricane.

(c) The ground dimensions of such green house shall not exceed a width of twelve (12') feet, and a depth of sixteen (16') feet.

(d) The walls of the green house shall not exceed a height of seven (7') feet above finished grade.

(e) The green house shall not exceed an over-all height of eight and one-half (8½') feet above finished grade.

(f) The roof pitch of such green house shall not exceed a maximum of three (3") inches in twelve (12") inches.

(g) Sun screen and other materials used for shading, except dark green plastic screen shall be used only on the inside of the green house.

(h) The setbacks of such green houses shall be the same as required for screened enclosures.

(i) The green house shall be located on the rear of the property and shall be properly screened by landscaping from view from the street and adjacent property owners as shall be approved by the Board of Architects. Such landscaping shall be maintained for as long as the structure shall remain upon the premises.

(j) The green house shall not contain toilet facilities but may contain a sink for washing and care of the orchids or other plants and flowers.

(k) The structural design of the green house shall be subject to approval by the Structural Engineer.

SECTION 3.30 AUXILIARY USE – DAVITS. Davits shall be permitted as an auxiliary use to property zoned for "R", "D", or "A" uses, subject to the following conditions and restrictions: (1968)

(a) That the plans shall be subject to approval for architectural design by the Board of Architects.

(b) That the plans shall be subject to approval by the Structural Engineer for structural design.

(c) That the minimum side set-back for such davits shall be five (5) feet. (2247)

(d) That only one (1) set of davits shall be permitted for each residence building, duplex building, apartment building, condominium apartment building or cooperative apartment building.

SECTION 3.31 AUXILIARY USE – CABANA. A cabana shall be permitted as an auxiliary use to a "R" Use subject to the following conditions and restrictions: (2038)

(a) Such cabana shall be of masonry construction with tile roof and shall be designed so as to tie in architecturally with the main building.

(b) The area of such cabana shall not exceed one hundred (100) square feet.

(c) The plumbing facilities shall be limited to shower and toilet facilities.

(d) The set-backs and ground coverage shall be as set forth elsewhere in this Code.

(e) The cabana shall not contain cooking facilities and shall not be used for living or sleeping quarters.

(f) Cabanas which are attached to the main building shall not be required to be inter-connected with said main building.

SECTION 3.32 AUXILIARY USE – TENNIS COURT. A private tennis court shall be permitted as an auxiliary use to any "R", "D", "A", or "S" Use subject to the following conditions and restrictions: (2039)

(a) The set-backs for such tennis court and side and backnets, fences or walls shall be in accordance with the minimum set-backs required for the use district in which the tennis court is located.

(b) The tennis court shall not be located between the main building and the street or closer to the street than the main building.

(c) Such tennis courts including side and backnets shall be screened from view from the street and the adjacent property owners.

(d) The side and backnets shall not exceed a maximum height of ten feet (10') and shall be constructed in compliance with the Building Code and zoning regulations.

(e) Any lighting on the tennis courts shall comply with the applicable regulations of the City of Coral Gables.

SECTION 3.33 AUXILIARY USE – STORAGE AND/OR UTILITY ROOMS FOR "R" AND "D" USE DISTRICTS. Storage and/or utility rooms not exceeding fifty (50) square feet of floor area, computed from the inside wall-to-wall dimensions, may be permitted as an auxiliary use to an "R" or "D" Use without the necessity of such rooms being interconnected with the "R" or "D" building, as the case may be. The design of such rooms shall be tied in architecturally with the main building and the material used in the construction of such storage and/or utility room shall be as set forth in this code. (2061)

SECTION 3.34 AWNING, SHELTER CANOPIES, ENTRANCE CANOPIES AND CAR-PORTE CANOPIES. Hereafter awnings, shelter canopies, entrance canopies and car-porte canopies placed upon, attached to or forming any part of any building shall conform to the following conditions and restrictions: (2091)

1. APPROVAL.

(a) AWNINGS, SHELTER CANOPIES. No permit for the erection or replacement in whole or in part of any awning or shelter canopy in the city shall be issued without the approval of the Board of Architects, provided however, that the building official or his designated representative may issue a permit for awnings, awning replacements and shelter canopy replacements which have been approved by the Board of Architects as standard installations and whose color and/or colors are neutral standard shades.

(b) CAR-PORTE CANOPY, ENTRANCE CANOPY. No permit for the erection or replacement, in whole or part, of any car-porte canopy or entrance canopy in the city shall be issued without the approval of the plans and specifications of such car-porte canopy or entrance canopy by the Board of Architects.

2. MATERIAL.

(a) Awnings placed upon, attached to, or forming any part of any building in any area zoned for residential, duplex or apartment use shall be made of canvas, cloth or other similar materials and of fiber glass, aluminum, plastic or other manmade materials.

(b) Shelter canopies or car-porte canopies placed upon, attached to, or forming any part of any building in any area zoned for residential, duplex or apartment use shall be made of canvas, cloth, aluminum or other similar materials.

(c) Awnings, shelter canopies, entrance canopies and car-porte canopies placed upon, attached to, or forming any part of any building in any area zoned for commercial or industrial use may be made of canvas, cloth or other similar materials and of fiberglass, plastic or non-ferrous metals, but in no case shall any such awnings, shelter canopies, entrance canopies or car-porte canopies be made of wood or wood products or of masonite or similar materials; in all cases such awnings, shelter canopies, entrance canopies or car-porte canopies shall generally simulate the appearance of canvas awnings, and must not be corrugated or slatted or with holes or other interstices. (2338)

3. SLOPE. In areas zoned for residential, duplex or apartment use, no shelter canopy or car-porte canopy shall be erected which has a minimum slope of less than two (2) inches in twelve (12) inches or a maximum slope of more than five (5) inches in twelve (12) inches for canvas or like materials or a minimum slope of less than two (2) inches in twelve (12) inches or a maximum slope of more than five (5) inches in twelve (12) inches for rigid materials.

4. HORIZONTAL AREA. In a residential or duplex area, no shelter canopies or car-porte canopies shall be erected which covers a total horizontal area greater than twenty (20) feet by twenty-two (22) feet.

5. CLEARANCE OVER SIDEWALK. In all cases where an awning, entrance canopy, or shelter canopy is placed upon, attached to, or forming any part of any building and such awning, entrance canopy or shelter canopy projects over a sidewalk, or similar place where the public is accustomed to walk, the rigid or metal parts for any such awning entrance canopy or shelter canopy shall have a clearance of not less than seven (7) feet six (6) inches from sidewalk elevations, and any non-rigid valance of any such awning, entrance canopy or shelter canopy shall have a clearance of not less than six and one-half (6½) feet from sidewalk elevation.

6. CONSTRUCTION.

(a) All canvas awnings, shelter canopies, entrance canopies, or car-porte canopies in the city shall be so constructed as either to admit or permit quick removal such as is necessary in cases of impending storms or hurricanes.

(b) Except for those installations which are stationary in character, awnings, shelter canopies, entrance canopies, or car-porte canopies other than those of cloth or canvas or like materials shall be so constructed as easily to lend themselves to the forming of storm shutters or storm protection to the building to which they are attached.

(c) Rigid awnings or canopies which are stationary in character shall be designed to resist the following loads:

(1) Roofs shall be designed for a live load of not less than thirty (30) pounds per square foot except that roofs occupied as roof gardens or for concentrated loads shall be designated for the corresponding occupancies.

(2) Design shall not be based on the removal or repositioning of parts or the whole during periods of high wind velocity.

7. LOCATION.

(a) All car-porte canopies shall be attached to the building and may be located on either side or the rear of said building.

(b) All shelter canopies shall be attached to the building and may be located on the front, sides or rear of said building.

(c) No self supporting or free standing shelter canopy, car-porte canopy or entrance canopy shall be erected without a variance having been approved by the Board of Adjustment. (2300)

8. MAINTENANCE, REPAIR, REPLACEMENT AND/OR REMOVAL.

(a) All awnings and canopies shall be maintained and kept in good order and repair. Awnings and canopies which are found, upon inspection, to be in disrepair shall be subject to removal and/or replacement. (2338)

(b) The City of Coral Gables from time to time shall require that an inspection be made of all awnings and canopies encroaching upon public right-of-ways, and in all cases where said inspection reveals that such awnings and/or canopies are in need of repair and/or replacement such awnings and canopies shall be declared to be a public nuisance and the City Manager shall so notify the record owner or owners of the property described by registered or certified mail, as their names and addresses are shown upon the record of the County Property Appraiser. Such notice shall be deemed complete and sufficient when so addressed and deposited in the United States Mail with proper postage prepaid. In the event that such notice is returned by postal authorities, the City Manager shall cause a copy of the notice to be served by a law enforcement officer upon the occupant of the property or upon any agent of the owner of record thereof. (2338)

The notice shall be in substantially the following form:

NOTICE OF PUBLIC NUISANCE

Name of Owner of Record _____

Address of Owner of Record _____

According to our records, you are the owner of record of Lot(s) _____ Block _____ Section _____

An inspection of the above captioned property reveals that the (awnings and/or canopies) encroaching upon the public right-of-way are in such disrepair as to constitute a public nuisance.

This is to serve as official notice that unless you:

(1) Repair the existing (awnings and/or canopies),

(2) Replace the existing (awnings and/or canopies), or

(3) Remove the existing (awnings and/or canopies)

within a period of thirty (30) days, the City of Coral Gables may undertake the removal of such (awnings and/or canopies) at the property owners expense; the estimated cost of which shall be approximately $ _____.

If within thirty (30) days, after mailing the notice, or the serving of the notice upon the occupant of the property or any agent of the owner thereof, the condition described in the notice has not been remedied, the City Manager may have such (awnings and/or canopies) removed and the cost thereof shall be a lien against the property to the same extent and character as are liens for special assessments or improvements and with the same penalties and with the same rights of collection, foreclosure, sale and forfeiture as obtained in the case of liens for special improvements.

THE CITY OF CORAL GABLES, FLORIDA

By: _____

City Manager

9. MANUFACTURER'S IDENTIFICATION. All awnings, shelter canopies, entrance canopies and carporte canopies constructed or erected pursuant to the provisions of this ordinance shall have the manufacturer's identification shown thereon.

10. ENCROACHMENT OVER PUBLIC RIGHT-OF-WAY. Awnings and/or canopies which encroach over public right-of-way shall be subject to the following conditions and restrictions: (2338)

(a) The property owner shall execute a restrictive covenant prepared by the City Attorney, which shall run with the title of the land, agreeing to provide public liability insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as additional insured under the policy.

(b) An executed copy of the restrictive covenant, together with certificates of required insurance, shall be presented to the Building Official, prior to the issuance of any permits for such work.

(c) Notwithstanding the above, that prior to the issuance of any permit for the installation of an awning or canopy encroaching over any Public Right-Of-Way under the jurisdiction of the Florida Department of Transportation, the Building Official shall require such evidence, as in his opinion is reasonable, to show that the plans for such encroachment have been approved by the said Department of Transportation.

SECTION 3.35 AUXILIARY USE - GUEST HOUSE. A guest house will be permitted as an auxiliary use to a "Residential Estate" as defined under Section No. 2.306 herein subject to the following conditions and restrictions: (2099)

(a) The guest house shall not exceed six hundred (600) square feet in ground area or ten (10) per cent of the ground area of the main building on the premises, whichever is greater.

(b) Such guest house may contain kitchen facilities.

(c) Only non-paying and personal guests of the occupant of the principal resident shall occupy a guest house.

(d) Year round occupancy shall not be permitted by the same guest.

(e) The owner shall not be permitted to live in the guest house and rent the principal residence.

(f) A guest house shall be permitted only as an auxiliary use to a "Residential Estate".

(g) The guest house shall be located in the rear yard area.

SECTION 3.36 TEMPORARY FIELD AND/OR CONSTRUCTION OFFICE. Whenever a building permit shall have been issued by the Building Department of the City of Coral Gables for construction and/or alteration as therein set forth, a temporary field and/or construction office shall be permitted to be located on the premises covered by a building permit subject to the following conditions and restrictions: (2217)

1. That such office shall not be used as a sales and/or advertising office and that no sales brochures shall be handed out or distributed from such office;
2. That potable water, electricity and sanitary facilities shall be provided for such office as required by the South Florida Building Code and such other applicable ordinances;
3. That such office shall not be used for living or sleeping quarters; and
4. That such office shall be removed by the contractor prior to the approval of the final building inspection and to the issuance of a Certificate of Occupancy or whenever, in the opinion of the Building Official, an inspection discloses that the building or alteration has been completed to the point where the final building inspection would be approved and a Certificate of Occupancy, if applied for, would be issued.

SECTION 3.37 TEMPORARY LAND DEVELOPMENT SALES OFFICE. Whenever a plat containing a gross area of not less than twenty-five (25) acres shall have been recorded in the public records of Dade County, Florida, a permit may be issued for the location of a temporary land development sales office within the subdivision subject to the following conditions and restrictions: (2217, 2300)

1. That the use of such sales office shall be limited and restricted to the sale of lots within the subdivision and such office shall not be used for the transaction of any other business of whatsoever nature;
2. That the set-backs for such sales office shall be the same as that required for the premises upon which such sales office shall be located;
3. That such sales office shall be landscaped as required and approved by the Board of Architects and the Building and Zoning Department and such landscaping shall be maintained in good condition as to present a healthy, neat and orderly appearance;
4. That a minimum of six (6) paved off-street parking spaces shall be provided on the premises of such sales office;
5. That such sales office shall be equipped with adequate potable water, electricity and sanitary facilities;
6. That such sales office shall not be used for living or sleeping quarters;
7. That not more than one (1) such sales office shall be permitted to be located in any one (1) subdivision;
8. That one (1) sign identifying the development may be placed upon such sales office as shall be approved by the Board of Architects;
9. That the permit for such sales office shall expire three (3) years from the date of the recording of the plat, provided however, that the Board of Adjustment, upon application, may authorize the extension of such permit for a good and valid reason; and
10. That the Building Official may revoke the permit for such sales office should the developer fail to comply with the conditions and restrictions set forth herein.

SECTION 3.38 CONDITIONAL USE. The following uses, which do not fall within any specified use district, may be authorized as a conditional use within the City of Coral Gables as set forth hereinafter: (2254)

1. Carnival. The City Commission may authorize churches and schools to host or sponsor carnivals as defined herein subject to the following conditions and restrictions:

   (a) Such carnivals shall be conducted only upon the premises of the hosting and/or sponsoring church or school.

   (b) The setting up and dismantling of all carnival equipment, structures or apparatus shall be accomplished only between the hours of 8:00 A.M. to 6:00 P.M. Monday through Saturday, provided, however, that work being done on booths by students may continue until 11:00 P.M. No work shall be done on any Sunday, except that students may work on booths between the hours of 12:00 Noon and 7:00 P.M.

   (c) No tents, structures, equipment or apparatus shall be located within the established setbacks of the premises.

   (d) It shall be the responsibility of the carnival owners or his assigned representative to furnish proof of financial liability insurance covering accidents or injury which said insurance policy shall indemnify the City against any and all claims of losses by reason of accidents or injury. The City shall be furnished a written copy of the insurance policy herein referred to.

   (e) No such carnival shall be allowed to operate for longer than three (3) consecutive days at any one location, and no church or school shall be permitted to hold more than one (1) carnival within any twelve (12) month period.

   (f) No alcoholic beverages shall be sold or consumed on the premises.

   (g) It shall be the responsibility of the hosting and/or sponsoring church or school to provide adequate sanitary facilities.

   (h) All reasonable precautions shall be taken by the hosting and/or sponsoring church or school to minimize the noise level resulting from such

activity, particularly in the area of music emanating from amplified sound systems operated by the promoter of the carnival or any person, persons or firms engaged or authorized to provide such music.

(i) It shall be the responsibility of the hosting and/or sponsoring church or school to provide adequate parking facilities, and to insure a non-disruptive traffic flow throughout the area during such activities.

(j) The operation of such carnival shall be restricted to the hours of 9:00 A.M. to 11:00 P.M. Monday through Thursday and from 9:00 A.M. to 12:00 Midnight Friday and Saturday. The carnival shall not be operated on any Sunday.

(k) All carnival equipment, structures or apparatus shall be removed from the premises within two (2) days, excluding Sundays, of the last scheduled day of operation of said carnival.

(l) It shall be the responsibility of the hosting and/or sponsoring church or school to restore the premises to its original condition within seven (7) days from the last scheduled day of operation of said carnival.

(m) The operation of such carnival shall be subject to obtaining proper license and building, electrical and plumbing permits.

(n) In granting approval for the operation of said carnival, the City Commission may prescribe appropriate conditions, restrictions and safeguards it deems to be in the best interest of the surrounding neighborhood and the general public.

(o) The City Manager shall be authorized and directed to close down the complete operation of any such function for violation of the regulations set forth herein.

2. Open Lot Christmas Tree Sales. Civic, fraternal and/or religious organizations located within the City of Coral Gables may be authorized to conduct open lot Christmas tree sales, subject to the following conditions and restrictions: (2258, 2282)

(a) The sale of such Christmas trees shall be conducted only upon property which is zoned for "C" or "M" uses, or property approved by the City Commission after Public Hearing.

(b) The setting up and dismantling of all equipment, structures or apparatus shall be accomplished only between the hours of 7:30 A.M. to 6:00 P.M. Monday through Saturday. No work shall be done on any Sunday.

(c) The applicant for such Christmas tree sales shall submit a sketch plan to the City Manager showing the proposed location of all equipment, tents, structures, off-street parking and tree storage and/or displays. (2282)

(d) All equipment, tents, structures, tree storage and/or displays shall provide set-backs as required under the City of Coral Gables "Zoning Code" and the South Florida Building Code.

(e) Only one (1) sign shall be permitted to be displayed upon the premises and such sign shall not be larger than thirty (30) square feet and shall not contain any reflective materials, streamers, pennants, flashing lights, movable items or similar devices. Such sign shall have a minimum set-back of five (5) feet from the front and/or side property line and shall be erected or placed so that the sign is parallel or perpendicular to the front property line. Such sign shall be securely fastened to a supporting member and the top of such sign shall not exceed a height of six (6) feet above the finished grade of the ground.

(f) The operation of such Christmas tree sales shall be conducted between the hours of 9:00 A.M. to 10:00 P.M. Monday through Saturday and from 12:00 Noon to 9:00 P.M. on Sunday.

(g) The proceeds from such Christmas tree sales shall be used for charitable purposes.

(h) The use of sound amplification, flashing lights or other similar attention attractors and advertising devices shall be prohibited.

(i) Off-street parking shall be provided as shall be required by the City Manager. (2282)

(j) Adequate sanitary facilities shall be provided upon the premises of the Christmas tree sales.

(k) All tents, equipment and structures shall be maintained and kept in good order and repair and, upon inspection, if found to be in disrepair shall be subject to removal and/or replacement.

(l) The operation of such Christmas tree sales shall be in accordance with the fire safety standards as set forth under the "Metropolitan Dade County Fire Prevention and Safety Code" and the "South Florida Building Code."

(m) Each organization conducting such Christmas tree sales shall furnish proof of financial liability covering accidents or injury upon the premises.

(n) The conduction of such Christmas tree sales shall be subject to obtaining proper license and building, electrical and plumbing permits.

(o) No organization shall be permitted to have more than one (1) location for the sale of Christmas trees within the City of Coral Gables.

(p) It shall be the responsibility of each organization conducting such sales to maintain the premises in a clean and sanitary condition during the sale period.

(q) Each organization shall remove all trash, debris and unsold Christmas trees from the premises within a period of seventy-two (72) hours from the last day of sale and the premises shall be restored to its original condition on or before December 31 the year of the sale.

(r) In granting approval for the conduction of such Christmas tree sales, the City Manager may prescribe appropriate conditions, restrictions and safe guards he deems to be in the best interest of the surrounding neighborhood and the general public. (2282)

3. Private Yacht Basin. A "Private Yacht Basin" as defined in Section 2.301 may be permitted in any "R", "D", "A" or "C" Use District only after a special ordinance granting permission for such use shall have been passed and adopted by the City Commission, after a public hearing before the Planning and Zoning Board at which all interested persons shall be accorded an opportunity to be heard, providing, however, that such use shall be subject to the following conditions and restrictions: (2389)

(a) That any private yacht basin containing one hundred (100) or more slips and/or berths shall be designated as a DRI (Development of Regional Impact) and as such shall require approval as provided for under Chapter 380 of the Florida Statutes.

(b) The following structures will be permitted on the premises as an auxiliary or accessory use: (2458)

1. A structure to be designated as a "Control Center" containing not more than three thousand five hundred (3,500) square foot floor area with a height not exceeding two and one-half (2-1/2) stories, providing however that the Control Center Tower shall not exceed an overall height of forty-nine (49) feet. The control center building shall be used to provide yacht basin control, security, gate keeper, security personnel, management staff, offices for Homeowners Association, general storage for control operation, toilet facilities and utility collection points.

2. Structures to be designated as "Auxiliary Buildings" containing a total of not more than one thousand five hundred (1,500) square foot floor area with a height not exceeding one (1) story. Such buildings to be limited to storage for maintenance equipment for operation of the yacht basin, remote storage buildings adjacent to docks and utility meter rooms.

3. A structure to be designated as a "Dockmaster's Building" containing not more than two thousand (2,000) minimum square foot floor area with a height not exceeding two and one-half (2-1/2) stories. The dockmaster's building shall be used to provide waterside control for the yacht basin, as well as the center of operations for the boats moored in the yacht basin, radio communications to serve the yacht basin as well as the control center, space for the dockmaster and his staff, storage and toilet facilities.

(c) The following uses shall not be permitted in connection with the operation of a private yacht basin:

1. Clubhouse
2. Swimming pools
3. The storage or dispensing of fuels
4. Laundry facilities
5. Facilities for the dispensing of food and alcoholic beverages
6. Launching ramps and/or launching facilities
7. Parking and/or storage of boat trailers
8. Mooring of commercial vessels
9. Repair or overhauling of boats
10. Rental or lease of boats
11. Dry storage or stacking of boats
12. Bait and tackle shop
13. Retail sales facilities
14. Sightseeing crafts
15. Commercial fishing vessel
16. Charter boats
17. Yacht brokers
18. Marine insurance broker
19. Under no circumstances shall any boat, vessel, watercraft or by whatever name known be used as living or sleeping quarters

(d) Bulkheads and retaining walls shall be provided in accordance with the provisions of the "Zoning Code", "Code of the City of Coral Gables", "Subdivision Ordinance" and all other applicable codes, ordinances and regulations of the City of Coral Gables. The use of rock rip-rap in lieu of bulkheads and retaining walls may be permitted subject to approval by the City Commission upon recommendation of the Public Works Department, Structural Engineer and Planning and Zoning Board. (2458)

(e) Off-street parking shall be provided at the rate of one (1) parking space for each slip or berth plus one (1) parking space for each three hundred (300) square feet of gross floor area of any buildings located on the premises.

(f) The yacht basin shall be supplied with a potable water supply system and such water supply shall be protected by properly designed and located backflow preventers including the installation of a vacuum breaker on the discharge side and near the last valve for each water outlet to which a hose can be connected.

Hoses used for potable water shall be blue or green or labeled and designated by use of a blue or green color code. The nozzle or outlet of the hose shall be protected from contamination, and hoses used for placing water in a sewage holding tank for flushing purposes shall be separate from hoses used for potable water and shall be red, yellow or brown.

(g) The yacht basin shall provide a facility capable of lifting sewage not less than twelve (12) feet under vacuum and delivering it to a receiving facility free from spillage and clogging. Equipment used in connection with the pump-out facility shall be designed to be easily serviced in case of clogging.

Vacuum hoses used in connection with a pumpout facility shall be pliable, collapse- proof, non-kinking, and equipped with a connection or insert device which will preclude leakage or spillage during the pumpout operation.

Sewage removed from a watercraft holding tank shall be handled in one of the following ways:

(1) Discharged into a public or governmental sewer by means of a gravity line or a force main.

(2) Stored in an on-shore or dockside holding tank, which is watertight and so positioned, or moveable to such a site, that it can be easily serviced in a sanitary manner.

(h) The discharge of raw sewage from any boat or watercraft located within the yacht basin shall be prohibited.

(i) The yacht basin shall provide for the accumulation and removal of garbage and trash in accordance with the provisions of Chapter 15 of the Code of the City of Coral Gables as if the same were fully setforth herein.

(j) The setbacks for the yacht basin shall be established at the time the conditional use is approved.

(k) The yacht basin shall comply with the provisions for fire prevention as set forth under the South Florida Building Code, the National Fire Prevention Association (NFPA) Publication No. 303-1975 entitled, "Fire Protection Standards for Marinas and Boatyards", and the National Fire Prevention Association (NFPA) Publication No. 87-1975 entitled, "Standards for the Construction and Protection of Piers and Wharves" and shall be subject to approval by the City of Coral Gables Fire Department.

(l) Not less than eighteen (18) percent of the yacht basin site shall be devoted to landscaped open space. Such area shall be landscaped with trees, shrubbery, hedges and other acceptable landscaped material and such landscape material and such landscaped area shall be maintained in a neat and orderly appearance. (2458)

(m) All parking areas shall be provided with a maintained minimum of one-third foot-candle of light on the parking surface during the hours of operation and one-half hour after closing.

Any other outdoor lighting for the yacht basin shall not be permitted except under the following conditions:

1. Detailed plans shall be submitted to the Building and Zoning Department showing the location, height, type of lights, intensity, shades, deflectors and beam directions.

2. The department may issue a permit for such lighting if, after a review of the detailed plans therefor and after consideration of the adjacent area and neighborhood and its use and future development, the proposed lighting will be so located, oriented, adjusted and shielded that the lighting will be deflected, shaded and focused away from such adjacent property and will not be or become a nuisance to such adjacent property and providing, however, that in no case shall any light be mounted higher than twenty (20) feet above the finished grade of the ground.

(n) The waste water resulting from the periodic washing of impervious surfaces shall be channeled to natural filter or swale areas prior to soil infiltration.

(o) For the purpose of controlling noise pollution in the yacht basin, boats and watercrafts operating under power shall be considered motor vehicles and shall be subject to the provisions of Chapter 19 of the Code of the City of Coral Gables entitled: "Noises" as if the same were fully set forth herein.

(p) The hours of operation of the supporting facilities, exclusive of security, shall be from 6:00 A.M. to 9:00 P.M.

(q) The responsibility for the maintenance of the yacht basin shall be borne by the developer, its successors or assigns, or an association consisting of owners and/or leaseholders of the lands, water, piers, docks, buildings, structures, mangroves, seawalls, rip-rap and any and all other improvements of whatsoever nature in the yacht basin.

(r) Applicants requesting approval of a conditional use for a "Private Yacht Basin" shall submit a detailed plan showing the complete layout of the yacht basin including retaining walls, bulkheading, docks, piers, slips, piling, landscaping, off-street parking, buildings, structures, roads, drives, drainage, water supply and sewage facilities.

SECTION 3.39 GARAGE SALE. Garage sales shall be permitted on the premises of residences, duplexes and apartments subject to the following conditions and restrictions: (2259)

(a) No garage sale shall be conducted until and unless a permit shall have been obtained from the License Division of the City of Coral Gables. Only the owner or lessee of the property upon which the garage sale is being conducted may obtain such permit.

(b) Before such permit shall be issued, the applicant shall file with the License Division an application containing the following information:

(1) Legal description and street address where such sale is to be conducted.

(2) Proof of ownership or lease of property.

(3) Date(s) of sale.

(4) Hour(s) of sale.

(5) Example of sign proposed.

(c) Upon verification and compliance with the provisions of this section, and the payment of the proper fee, the License Division shall issue a permit the same day which shall designate the location of the sale and the day(s) upon which such sale(s) shall be conducted.

(d) Only personal property owned by the seller and usual to a household may be sold or offered for sale by the owner or lessee of the residence, duplex or apartment as the case may be.

(e) Only one (1) sign not exceeding forty (40) square inches in size may be displayed on the premises where such sale is being conducted. Such sign shall not be erected or placed closer than five (5) feet to the front or side property lines.

(f) Such garage sale shall be held only between the hours of 9:00 A.M. to 5:00 P.M.

(g) Personal property shall be exhibited or displayed only within established setbacks.

(h) No more than two (2) consecutive days shall be permitted for any garage sale.

(i) No more than four (4) garage sales shall be held from the same property within any calendar year with not more than two (2) garage sales within a thirty (30) day period.

(j) The garage sale permit shall be prominently displayed from the front of the building from which such sale is conducted. Upon the request of any Code Enforcement Officer of the City of Coral Gables, the owner or lessee of the property shall exhibit such permit.

(k) By making application for such Garage Sale Permit, accepting said permit and conducting such sale, the owner or lessee of the property to whom such permit is granted, authorizes any Code Enforcement Officer of the City of Coral Gables to enter upon the property for the purpose of determining that such sale is being conducted in accordance with the provisions of this section.

SECTION 3.40 SITE PLAN REVIEW PROCEDURES, STANDARDS AND APPROVAL OF MIXED USE DEVELOPMENTS CONTAINING AN AREA OF TWO (2) ACRES OR MORE WHICH CONTAINS A HISTORICAL LANDMARK AND IS LOCATED IN A "CA", "CB", "CC" OR "M" USE DISTRICT. (2437)

1. GENERAL.

(a) That the owner of any parcel(s) containing 2 or more acres of land which are located in a CA, CB, CC or M use district, or in any combination thereof, whether with or without any X classifcation and which include(s) any building, structure or site which has been approved by the City Commission as a historical landmark may, subject to the provisions of this Ordinance, develop such parcel(s) in accordance with a site plan approved by the City Commision as hereinafter provided.

(b) That the provisions of this section shall be applicable only in the event the parcel(s) of land to be developed in accordance with an approved site plan contain(s) a building, structure or site which has been approved by the City Commission as a historical landmark. No such site plan shall permit the exterior of such building, structure or site which has been approved by the City Commission as a historical landmark to be altered or changed in any manner except in accordance with the provisions of Ordinance No. 2050. No building, structure or site which has been approved by the City Commission as a historical landmark and which is part of a site plan approved under this ordinance, may be demolished without approval of the City Commission.

2. SITE PLAN REVIEW STANDARDS

(a) That the Planning and Zoning Board shall review and the City Commission shall approve or disapprove site plans for compliance with the Zoning Code and for compliance with the site plan and review criteria contained in this Ordinance. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the historical landmark contained within the site plan and the surrounding area. In considering site plans hereunder, the Planning and Zoning Board and the City Commission shall be guided by the review standards contained in this Ordinance, the provisions, spirit and intent of Ordinance No. 2050 and Section 1.02 of the Zoning Code.

(b) That upon the filing of site plan and required exhibits as hereinafter provided with the Planning and Zoning Board, copies of the same shall be distributed by the Planning Director to the Director of Building and Zoning, Public Works Director, Public Service Director, Fire Chief, the Board of Architects, and the Historic Preservation Board of Review. Within thirty (30) days after the filing of the site plan and exhibits, each of said department heads together with the Board of Architects and the Historic Preservation Board of Review shall submit in writing to the Planning and Zoning Board and the applicant their comments concerning the site plan and exhibits, including their opinions as to variances and /or rule interpretations, if any, which may be required.

(c) That exhibits which the applicant shall submit to the Planning and Zoning Board, shall include, but not be limited to, the following:

(1) Schematic site plan at a scale of not less than one inch equals one hundred (100) feet containing the following information:

(a) Proposed type of floor areas.

(b) Height, size, shape, and location of existing and proposed buildings.

(c) Parking layouts.

(d) Proposed grades if significantly altered.

(e) Existing and proposed fences, walls, signs, architectural accents, street furniture and location of advertising or graphic

features.

(f) Existing and proposed landscaping including any existing self-supporting perennial plant which has a trunk diameter of at least three (3) inches measured three (3) feet above grade (at the base of the tree), and which normally grows to a minimum overall height of fifteen (15) feet.

(g) If the site plan is to be developed in phases, an outline of the scope and order of each phase of development.

(2) Schematic building plans including elevations and/or sections of major structures.

(3) Isometrics or perspective and model(s) of the proposed development.

(d) That the following criteria shall be utilized as a guide by the Planning and Zoning Board and the City Commission:

(1) The three-dimensional air-space volume created by the arrangement of structures and landscape shall produce spatial relationships that function with the intended use of the project and are compatible with the historical landmark contained within the site plan and development or zoning in the adjoining area. In reviewing the intended use and compatibility of the proposed site plan, the Planning and Zoning Board and the City Commission shall consider the criteria contained in Section 8.(4) of Ordinance No. 2050.

(2) Landscape shall be preserved in its natural state insofar as practicable by minimizing tree removal. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and provide shade.

(3) Buffering elements that provide a logical transition to adjoining, existing or permitted uses shall be provided.

(4) Scale of proposed structures shall be compatible with surrounding existing or permitted uses or shall be made compatible by the use of the buffering elements.

(5) All outdoor lighting, signs or permanent outdoor advertising or identification features shall be designed as an integral part of and be harmonious with building design and the surrounding landscape.

(6) All permitted installations housing mechanical equipment located on the roof shall be screened from ground view and from view at the level in which the installations are located, and shall be designed as an integral part and be harmonious with the building design.

(7) Pedestrian and auto circulation shall be separated insofar as practicable and all circulation systems shall adequately serve the needs of the project and be compatible and functional with circulation systems outside the development.

(8) Building wall extensions, plantings, berms or other innovative means shall be used as a means of minimizing the adverse effect of the visual impact of parking areas. This requirement is in addition to the requirements of the landscape regulations of the Coral Gables Zoning Code.

(9) Service areas which may be provided shall be screened and so located as not to be visible from view.

(e) That not more than forty-five (45) days after the filing of the site plan and exhibits, the Planning and Zoning Board shall hold a public hearing, after notice given in accordance with established Code procedures, at which time it shall submit its recommendations concerning the site plan to the City Commission. The City Commission shall hold a public hearing at the earliest date on which such site plan review can by placed on its agenda, at which time the City Commission shall approve or disapprove the site plan.

3. DECLARATION OF RESTRICTIVE COVENANT.

That as a pre-requisite to the issuance of a building permit, in lieu of a unity of title agreement, the owner in fee simple title shall submit to the Building and Zoning Department a declaration of restrictive covenants ("Declaration") in recordable form which shall run with the land and be binding upon the heirs, successors, personal representatives and assigns, and upon all mortgagees and lessees and others presently or in the future having any interest in the property. The declaration shall contain the following necessary elements:

(a) That the site shall be developed in accordance with an approved site plan as described in this Ordinance, and no modification of the site plan shall be effectuated without the consent of the City Commission. Any proposed modification of an approved site plan shall, prior to review of the modification by the City Commission, be submitted to the department Directors and Boards named in Section 2(b) above who shall, within fifteen (15) days of the filing of the proposed modification, submit in writing to the City Commission and the applicant their comments concerning the modifications, including their opinions as to variances and/or rule interpretations, if any, which may be required.

(b) That if the subject property is to be developed in phases, each phase shall be developed in accordance with the site plan.

(c) That in the event of multiple ownerships of individual parcels subsequent to site plan approval, each of the subsequent owners

shall be bound by the terms, provisions and conditions of the Declaration. The owner shall further agree that he or she will not convey portions of the subject property to such other parties unless and until the owner and such other party (parties) shall have executed and mutually delivered, in recordable form, an instrument by which such party (parties) shall agree to be bound by the Declaration. The Declaration shall include, among other things:

(1) Easements to and across the common area of the site plan ("Common Area") and each parcel for ingress and egress to and from the other parcels;

(2) Easements to and across the Common Area and each parcel for the passage and parking of vehicles;

(3) Easements to and across the Common Area and each parcel for the passage and accommodation of pedestrians;

(4) Easements for access roads across the Common Area and each parcel to public and private roadways;

(5) Easements for the installation, use, operation, maintenance, repair, replacement, relocation and removal of utility facilities in appropriate portions of the Common Area and each parcel;

(6) Easements on appropriate portions of the Common Area and each such parcel for construction of buildings and improvements in favor of each other parcel;

(7) Easements on appropriate portions of the Common Area and each parcel in favor of each adjoining parcel for the installation, use, maintenance, repair, replacement, and removal of common construction improvements such as footing, supports and foundations;

(8) Easements on appropriate portions of the Common Area and each parcel for attachment of buildings;

(9) Easements on appropriate portions of the Common Area and each parcel for building overhangs and other overhangs and projections encroaching upon such Common Area or parcels from adjoining parcels such as, by way of example, marquees, canopies, lights, lighting devices, awnings, wing walls and the like;

(10) Appropriate reservation of rights to grant easements to utility companies;

(11) Appropriate reservation of rights for road rights-of-way and curb cuts;

(12) Easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated or private ring roads and access roads; and

(13) Appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking and Common Areas.

(14) Parking. That where the proposed parking for the development is to be located within a common parking garage, a restrictive covenant shall be filed reserving within the parking garage the required off-street parking for each individual building and that all leases shall require that the lessee shall lease and pay for a certain number of parking spaces allocated proportionately.

(d) That for purposes of this Section, the word "Parcel" shall mean any portion of the property encompassed within the site plan which may in the future be owned by or leased to persons other than the applicant seeking site plan approval.

(e) That the foregoing provisions or portions of Section 3(c) above may be waived by the City Commission if they are not applicable to the subject application. In addition, such Declaration shall contain such other provisions with respect to the operation, maintenance and development of the subject property as to which the parties thereto may agree, all to the end that although parcels within the property may have several owners and/or lessees, it will be constructed, conveyed, maintained and operated in accordance with the approved site plan.

4. REQUISITES.

(a) That the owner shall provide a certificate of ownership by way of an opinion of title from an attorney-at-law, licensed to practice in the State of Florida, or from an abstract of title company licensed to do business in Dade County, Florida; such opinion of title shall be based upon an abstract or title insurance policy brought up to within ten (10) days of the requirement that such covenant be recorded.

(b) That the opinion of title shall include the names and addresses of all mortgagees and lien holders, the description of the mortgagees and/or liens and the status of all real estate taxes due and payable.

(c) That a subordination agreement signed and executed by the mortgagees and/or lien holders, shall accompany and be made a part of the covenant.

(d) That the Declaration shall be executed with the same formality and manner as a warranty deed under the laws of the State of Florida.

5. APPROVAL

(a) That the Declaration required by this Section shall be subject to approval by resolution of the City Commission, and such Declaration shall be subject to approval by the City Attorney as to form and content.

(b) That any variances which may be created

solely by virtue of separate ownership described in subsection 3(c) above shall be deemed waived by the City Commission upon approval of the Declaration and site plan. Upon approval of the site plan and Declaration by the City Commission, it shall not be necessary to plat or re-plat the property which is the subject of the approved site plan.

6. **RELEASE, MODIFICATION OR AMENDMENT.** That the Declaration required by this Section shall not be released, modified or amended except by resolution of the City Commission.

7. **APPLICABILITY OF ZONING CODE.**

(a) That except as provided in sub-paragraph (b), nothing contained in this Section is intended, nor shall it be construed to:

(1) permit a change in any use district with respect to any property included within the site plan;

(2) permit, within any use district, a use not otherwise permitted in that district with respect to any property within the site plan; or

(3) alter, modify or amend any provisions of the Zoning Code.

(b) (1) That in reviewing the site plan's compliance with respect to floor area ratios, useable open space requirements, density and lot coverage, as applicable to each intended use, regardless of the location and number of buildings to be constructed, the site plan shall be deemed in compliance with the Zoning Code if: a) the total of each of such requirements are met within the land included within the site plan as if one building site and b) the total combined use floor area ratio included within the site plan (excluding parking areas) shall not exceed 2.0.

(2) That in the event that a site plan requires a variance from the Zoning Code or a rule interpretation, the site plan shall not be approved unless and until the appropriate variance or rule interpretation is approved by the City Commission which, for purposes of this Section, shall have jurisdiction to consider and approve the same without a showing of hardship. Such variance and/or rule interpretations shall be considered at the same public hearing at which the Commission considers the site plan, and shall remain in effect for such number of years as specified by the City Commission.

(3) That all areas included within easements established pursuant to the Declaration shall be included in the building site in making all calculations required under the Code including, without limitation, floor area ratio, lot coverage, open space and density.

(4) That a site plan may include more than one building and may include multiple uses within a building and the entire site, provided that, such uses are permitted within the zone districts applicable to the site.

(c) That no building permit for any structure to be constructed as part of an approved site plan shall be issued until the structure has been approved by the Board of Architects and the Historic Preservation Board.

8. **FEES - RECORDING.**

(a) That upon filing a site plan, the applicant shall place in escrow sufficient funds as estimated by the City Manager to compensate the City for staff time and professional consulting fees in processing the site plan application.

(b) That the owner shall pay the fee, as required by Section 2.13.1 of Chapter 2 of the "Code of the City of Coral Gables", for recording the Declaration in the Public Records of Dade County, Florida.

9. **APPLICABILITY.** Section 3.40 herein shall take precedence over the provisions of any other section of this Code which may be in conflict herewith.

4. USE PROHIBITIONS AND RESTRICTIONS

SECTION 4.01 USE PROHIBITED. The following uses shall not be permitted within the City of Coral Gables:

(a) Night club or casino, as popularly defined.

(b) Circus, carnival, open air or tent show or similar use operated for purpose of private profit.

(c) Crematory, or furnace for cremation of human bodies.

(d) Billboards, as defined herein.

(e) Electronic Video Entertainment Centers and Machines. (2386)

SECTION 4.02 DOMESTIC ANIMALS AND FOWL. It shall be unlawful for any person to keep, harbor, breed or maintain upon any premises in the City of Coral Gables any horses, ponies, cattle, goats, pigs or other livestock, or any pigeons, peacocks, chickens, ducks or roosters, or other domestic fowl. (1504, 2093)

SECTION 4.03 PROHIBITED USES, CERTAIN STREETS.

(a) No service station, public garage, auto repair shop, machine shop, used-car lot, or any business conducted outside a building shall be permitted on any lots or premises abutting Coral Way (a portion of which is known as Miracle Mile), or Biltmore Way, or upon lots or premises abutting Ponce de Leon Boulevard between Southwest 8th Street and Bird Road. (1829, 2168, 2310)

(b) No driveway for use by motor vehicles or any other purpose shall be permitted to be constructed across the sidewalks on properties abutting Miracle Mile from Douglas Road to LeJeune Road and/or on properties abutting Ponce de Leon Boulevard from Avenue Minorca to University Drive. (2168, 2190)

(c) No off-street parking shall be permitted to be located on the grade level of buildings constructed on properties abutting Miracle Mile from Douglas Road to LeJeune Road and/or on properties abutting Ponce de Leon Boulevard from Avenue Minorca to University Drive. (2168, 2190)

(d) No driveway for motor vehicle purposes or any other purposes shall be constructed across the sidewalk or in such yard areas of property abutting both sides of Ponce de Leon Boulevard from Avenue Malaga to Bird Road. (2369)

NOTE: That from and after February 26, 1981, all driveways located across the sidewalks or in such yard areas of property abutting both sides of Ponce de Leon Boulevard from Avenue Malaga to Bird Road shall be removed within a period of five (5) years.

SECTION 4.031 PROHIBITED USES, CERTAIN SECTIONS. Apartment buildings shall not be permitted to be constructed on property zoned for "C" or "M" Uses in the following sections: (2171)

(a) Industrial Section
(b) Coconut Grove Warehouse Center
(c) MacFarlane Homestead and St. Albans Park
(d) Riviera Section Part 8
(e) Callahan Tract

SECTION 4.04 BUSINESS OUTSIDE A BUILDING PROHIBITED No business shall be permitted within the City of Coral Gables, unless such business is carried on within and under cover of a building or buildings according to the provisions of this and other ordinances of the City of Coral Gables; provided, however, that this section shall not apply to the following: (2258)

(a) Used-car lots, when located in M Use Districts;
(b) Service stations; (2310)
(c) Commercial nurseries for the growth and sale of trees, plants and flowers; and
(d) Open lot Christmas tree sales.
(e) Restaurant drive-in service windows and drive-in and/or walk-up tellers when approved in accordance with the provisions as set forth under sub-paragraph 38.1 of Section 3.08 therein. (2353)

A business shall be deemed as not being carried on within and under cover of a building if the product or merchandise sold is conveyed or delivered or handed out on the premises through a window or other opening to a buyer outside the building; or if any side or a room or area in which the business is conducted is open to the air by reason of the lack of an enclosing wall, door or other fixtures.

SECTION 4.05 USED-CAR LOTS. The business or occupation of Used-Car Lot or Second-Hand Automobile Dealer shall not be conducted anywhere within the City of Coral Gables except upon premises zoned for M Uses.

SECTION 4.051 ADULT BOOK STORE, ADULT MOTION PICTURE THEATER AND MASSAGE SALON. The business or occupation of an adult book store, adult motion picture theater or massage salon shall not be conducted or operated anywhere within the City of Coral Gables, except upon premises zoned for "M" uses, and, provided further that the operation of such uses shall comply with all provisions of this Code and all other applicable rules and regulations of the City of Coral Gables. (2245)

SECTION 4.06 FORTUNE TELLERS, ETC. The business or occupation of fortune teller, clairvoyant, palmist, astrologer, phrenologist, character reader, spirit medium, absent treatment healer, and mind reader, hypnotist, mental healer, numerologist, and all other businesses and occupations of a similar nature shall not be conducted or operated anywhere within the City of Coral Gables except upon premises zoned for M Uses.

SECTION 4.07 LAUNDRIES. The business or occupation of commercial laundries, as commonly defined, and self service laundries (the business of offering to the public the use of automatic or hand operated washing, laundering or drying machines, whether operated by the customer or by an attendant, for a charge or fee), shall not be conducted anywhere within the City of Coral Gables, except upon premises zoned for M Uses.

SECTION 4.08 HOUSEBOATS. No boat, houseboat, vessel or watercraft of any kind may be used as a place of abode or dwelling while anchored, moored or tied up in any part of the Coral Gables Waterway or canal, or within the city limits in Biscayne Bay. No boat, houseboat, vessel or watercraft of any kind that is not propelled by its own power shall be allowed to be or remain in any of the waterways or canals or in Biscayne Bay within the City of Coral Gables for more than six (6) hours.

SECTION 4.09 HOUSE CAR, CAMP CAR, CAMPER OR HOUSE TRAILER.

(a) No House Car, Camp Car, Camper or House Trailer, nor any vehicle, or part of vehicle, designed or adaptable for human habitation, by whatever name known, whether such vehicle moves by its own power or by power supplied by separate unit, shall be kept or parked on public or private property within the City except for the purpose of loading or unloading for a continuous period not to exceed twenty-four (24) hours within any calendar week beginning Sunday at 12:01 A.M. and ending at midnight on Saturday, unless such house car, camp car, camper or other vehicles designed or adaptable for human habitation is parked or stored within the confines of a garage, and unoccupied; or parked upon a duly licensed or legally operated parking area, which is not a concomitant and required under the zoning - or other - ordinance of the City (1506, 2218)

(b) Under no circumstances and in no area, however zoned, shall any vehicle be used as living or sleeping quarters within the limits of the City. (1506)

SECTION 4.10 DISTANCE REQUIREMENTS - SERVICE STATIONS. No service station shall be erected or located within five hundred (500) feet of any other service station, or within five hundred (500) feet of any

church, school or hospital. Such distance shall be measured, in the case of another service station, church or hospital, by following the shortest route of ordinary pedestrian travel along the public thoroughfares from the main entrance of the place of business to the main entrance of the other service station, church or hospital, and, in the case of a school, by following the shortest route of ordinary pedestrian travel along the public thoroughfares from the main entrance of the place of business to the nearest point of the school grounds in use as part of the school facilities.

For the purpose of determining the distance between a service station, a church, school, hospital or another service station, the applicant for such a service station shall furnish a certified survey from a registered land surveyor in the State of Florida indicating the distance between the proposed service station and any church, school, hospital or any other service station within five hundred (500) feet. In case of a church, hospital or another service station, each survey shall indicate the shortest distance of ordinary pedestrian travel along the public thoroughfare from the main entrance of said place of business to the main entrance of the church, hospital or service station, and, in the case of a school, each survey shall indicate the shortest distance of ordinary pedestrian travel along the public thoroughfare from the main entrance of said place of business to the nearest point of the school grounds in use as part of the school facilities. In case there are no churches, schools, hospitals or service stations, within five hundred (500) feet of the place of business, the survey shall so certify. (1903, 2310)

SECTION 4.11 DISTANCE REQUIREMENTS – SALE OF ALCOHOLIC BEVERAGES AND LIQUORS. No retail beverage store, retail package liquor store, retail liquor store, retail package beverage store or club vendor shall be established or operated upon premises closer than five hundred (500) lateral feet from any church or school. The five hundred (500) foot lateral distance shall be measured and computed by following a straight line from the nearest point of the school grounds and/or church grounds in use as part of the school grounds and/or church facilities to the nearest property line of the building site of the place of business. A retail package beverage store may be established and operated within the distance prohibition area above described, only if such store is operated in conjunction with and as an integral part of the business of a merchant selling food and food products.

For the purpose of determining the distance between alcoholic beverage uses and churches or schools, the applicant for such use shall furnish a certified survey from a registered land surveyor in the State of Florida indicating the distance between the proposed place of business and any church or school within five hundred (500) lateral feet. The survey shall indicate the shortest distance as measured and computed by following a straight line from the nearest point of the school grounds and/or church grounds in use as part of the school and/or church facilities to the nearest property line of the building site of the place of business. In case there are no churches or schools within five hundred (500) lateral feet of the place of business, the survey shall so certify.

An applicant for a retail package beverage store license shall not be required to furnish a survey when such store is operated in conjunction with and as an integral part of a business or a merchant selling food and food products. (1904, 2148)

SECTION 4.112 DISTANCE REQUIREMENTS – ADULT BOOK STORE, ADULT MOTION PICTURE THEATER AND MASSAGE SALON. (2245)

(a) No adult book store, adult motion picture theater or massage salon shall be established or located within a distance of one thousand (1,000) feet from any other adult book store, adult motion picture theater or massage salon. Such distance shall be measured and computed by following a straight line between the main entrances of the place of business.

(b) No adult book store, adult motion picture theater or massage salon shall be located or established within a distance of five hundred (500) feet from a residentially-zoned district and/or from a church or school. Such distance shall be measured and computed, in the case of a church or school, by following a straight line from the nearest point of the school and/or church grounds in use as part of the school grounds and/or church facilities to the closest exterior door of the place of business, and in the case of residentially-zoned property by following a straight line from the closest portion of the residentially-zoned district to the closest exterior door of the place of business.

(c) For the purpose of this section, residentially-zoned districts shall be those designated by Section 3.02 (a), (b) and (c) herein.

(d) No application for an occupational license for such adult book store, adult motion picture theater or massage salon shall be approved for zoning compliance unless such application is accompanied by a certified survey from a registered land surveyor in the State of Florida showing that such use meets with the distance requirements as set forth herein.

SECTION 4.12 USE OF WORD "MOTEL" OR "MOTOR COURT" LIMITED. The words "Motel" or "Motor Court" or similar designation of any motel, as defined herein, shall not be used to designate any building or facility except in a "C" or "M" District, even though the area of living units within such building meet the minimum requirements for motels under the Zoning Code of this City.

SECTION 4.13 TENTS OR DETACHED SCREEN STRUCTURES OR SCREENED ENCLOSURES. No tent or detached screen structure of any kind shall be erected or maintained within the City limits of The City of Coral Gables. Screened enclosures, however, will be permitted as an auxiliary use in connection with an R, D, A or S Use as provided for herein under Section 3.26.

SECTION 4.14 TRUCKS, TRAILERS AND COMMERCIAL VEHICLES – PARKING IN RESIDENTIAL AREAS. (1506) (1844) (1976)

(a) It shall be unlawful for any person to park any vehicle displaying advertising signs or any truck, trailer or commercial vehicle in or upon any property, public or private, in any area of the City which is zoned residential. This prohibition, however, shall not apply in the following cases:

1. Vehicles used by licensed contractors or service establishments actually doing work on the premises between the hours of 7:30 A.M. to 6:00

P.M. excluding Sundays and holidays.

2. Loading or unloading of trucks, trailers or commercial vehicles provided that such loading or unloading takes no more than two (2) hours, and is not done between the hours of 7:00 o'clock P.M. of one day and 7:00 o'clock A.M. of the next day.

3. Vehicles which are entirely enclosed within the confines of an enclosed garage.

4. Automobiles carrying advertising signs on the top of such automobiles dealing with the candidacy of individuals for elected office. This exemption, however, shall cease seven (7) days after the date of the election in which the person was finally voted upon. (2273)

5. Automobiles carrying advertising signs, advertising propositions to be submitted and voted upon by the people. This exemption, however, shall cease seven (7) days after the date of the election in which the proposition advertised was finally voted upon. (2273)

SECTION 4.145 TRUCKS, TRAILERS AND COMMERCIAL VEHICLES — PARKING UPON STREETS AND PUBLIC PLACES. No commercial vehicle shall be parked upon the streets or other public places of the City between the hours of 7:00 o'clock p.m. on one day and 7:00 o'clock a.m. of the next day. This prohibition is in addition to the total prohibition covering residential areas dealt with in Section 4.14 hereof. (1506)

SECTION 4.15 AIR CONDITIONING UNITS AND EQUIPMENT, AND OTHER TYPES OF MECHANICAL EQUIPMENT OR APPARATUS INSTALLED ON OR ATTACHED TO PREMISES. (1553)

(1) In a residence, duplex or apartment district or areas as defined herein, air cooled condensing and/or compressor equipment which is a part of an air conditioning system or a water cooling tower, and any other type of mechanical equipment or apparatus installed on or attached to premises, except window wall units up to 18,000 B.T.U., shall be at a distance of not less than fifteen feet (15') from all lot lines of adjoining lots in such districts or areas, or completely retained within building.

NOTE: For additional information regarding the construction, operation, and/or maintenance of such appliances as air conditioning equipment, fans, blowers, pumps, turbines, compressors, refrigeration machinery, generators and etc. see ordinance number 1553, as amended.

SECTION 4.16 REGULATIONS GOVERNING THE INSTALLATION OF ROCK YARDS. Prior to installation of rock yards, plans shall be submitted and approved by the Board of Architects.

SECTION 4.17 BOATS AND BOAT TRAILERS. It shall be unlawful for any person or persons to place, keep or maintain, or permit to be placed, kept or maintained in the front yard, or in any side yard if the same abuts a street or avenue, any boat or boat trailer, either or both. (1885)

SECTION 4.18 WILD ANIMALS AND REPTILES, KEEPING.

(a) It shall be unlawful to keep any snake anywhere within the City of Coral Gables. (1505)

(b) Permit required. It shall be unlawful for any person or persons to keep any wild animal or reptile without first having obtained a permit from the City Manager; provided, however, this section shall not apply to parks, zoos, pet shops, medical or scientific institutions, or other places licensed for the showing or keeping of wild animals or reptiles.

(c) For the purpose of this section, the phrase "Wild Animal" shall be as defined under Section 2.365.

(d) Standards for issuance of permit.

(1) In the City Manager's consideration of permits for animals subject to the provisions of this section, there shall be a presumption against the issuance of a permit for any animal or reptile falling within the following classifications:

(a) Any lizard normally capable of inducing toxic effects through biting, including the Gila monster and the Mexican beaded lizard.

(b) Any lizard in excess of eight feet in length or of a weight in excess of twenty-five pounds.

(c) Any alligator, caiman, or crocodile in excess of four feet in length.

(d) Any ape, including the chimpanzee, gorilla, orangutan, gibbon, or simian.

(e) Any true monkey but not including the smaller, lower primates, such as lemurs, marmosets, etc., provided, however, it shall be unlawful to keep any monkey in such a place so as to be exposed to the public view anywhere within the City of Coral Gables. (1505)

(f) All members of the flesh-eating order of Carnivora, including nondomestic dogs, cats, foxes, seals, raccoons, coatimundis, bears, civets, skunks, and related forms.

(g) All horned or hoofed mammals.

(h) Elephants.

(2) There shall be a presumption in favor of the issuance of a permit to keep animals which do not fall within the classifications set forth in Paragraph (d)(1) of this section; provided, however, the City Manager may still in the exercise of his discretion deny a permit where in his judgment the keeping of such animal is dangerous and harmful to human safety.

SECTION 4.181 POSSESSION, HARBORING, SHELTERING OR KEEPING OF CATS. (2284)

(a) It shall be unlawful for any person in the City of Coral Gables to possess, harbor, shelter, or keep more than four (4) adult cats at any one time, excepting veterinary hospitals properly licensed by the City. For the purpose of this ordinance, an adult cat shall be deemed to be any cat six (6) months old or older.

(b) It shall be unlawful to maintain any cat or cats so as to create a nuisance by way of noise, odor, menace to health, or otherwise.

SECTION 4.19 ADMINISTRATIVE BUILDING MORATORIA. (2068)

(a) Whenever it shall be made to appear to the City Manager or City Commission that it is in the public interest to make a comprehensive determination as to whether the existing zoning districts applying to a portion of the area of the City of Coral Gables are appropriate, and where it is further made to appear to them that the said existing zoning districts may be detrimental to the said area should they continue to remain applicable and building permits be issued predicated thereon the City Manager or City Commission shall immediately issue an administrative order delineating the area in question and prohibiting the issuance of building permits therein.

(b) Any administrative order issued pursuant to subsection (a) shall be complied with by all City of Coral Gables personnel and shall be effective until reversed, modified or superseded by order of the City Commission and if a building permit is issued same shall be void and of no force or effect.

(c) Immediately upon issuance of any administrative order pursuant to subsection (a) the City Manager shall place the matter on the City Commission Agenda for consideration of the City Commission calling for a public hearing.

(d) The City Commission shall call a public hearing at the earliest practicable time with reasonable notice by publication in a newspaper of general circulation in the City of Coral Gables, Florida.

(e) At the public hearing the City Commission shall inquire into the propriety of a building moratorium and may reverse, modify or supersede any moratorium order previously issued. The City Commission's determination shall be predicated upon the reasonable necessity for a detailed comprehensive analysis of the area in question and the probability of detriment to the character of the area by the continued application of the existing zoning districts.

(f) Should the City Commission determine that a building moratorium is reasonably necessary, it shall order the same and direct that no building permits be issued within the affected area. The City Commission's order shall fix a time within which the City Manager shall report back to the City Commission with his recommendations relating to appropriate zoning districts for the affected area. The said time limitation shall be a reasonable one, predicated upon the time needed for a comprehensive analysis of the area.

(g) Should the City Manager be unable to report back to the City Commission within the time prescribed by its moratorium order, upon timely request by the City Manager and after public hearing on the need therefor, the City Commission may reasonably extend the time limitation.

(h) Upon notification by the City Manager that he is prepared to submit his recommendation relating to the affected area, the City Commission shall call a public hearing thereon at the earliest practicable time, after reasonable notice by publication in a newspaper of general publication in the City of Coral Gables, Florida. After said public hearing the City Commission shall make its determination as to whether the zoning districts shall remain the same or shall be changed. Should the City Commission determine that the zoning districts shall remain the same, it shall immediately issue its order terminating the building moratorium. Should the City Commission determine that the applicable zoning districts should be changed, or new districts created therefor, it shall issue its order continuing the building moratorium and shall immediately take the actions required elsewhere within the City of Coral Gables Zoning Code for such changes.

(i) Upon the completion of all zoning district changes relating to the affected area, the City Commission shall issue its order terminating the building moratorium.

SECTION 4.20 OTHER BUILDING MORATORIA. (2068)

(a) Should the City Commission determine that a public hearing should be held as to whether a building moratorium is appropriate, it shall call the same for the earliest practicable date and give reasonable notice thereof by publication in a newspaper of general circulation in the City of Coral Gables, Florida. Pending the public hearing the City Commission may issue an order prohibiting the issuance of building permits in the affected area.

(b) The procedure to be followed for this section, after the completion of the steps provided in subsection (a) above, is that set forth in Section 4.19 (a) through (i), City of Coral Gables Zoning Code.

SECTION 4.21 ISSUANCE OF BUILDING PERMITS FOR NON-DELETERIOUS STRUCTURES DURING MORATORIA. Notwithstanding the issuance of any moratorium order, the City Manager may authorize the issuance of building permits for non-deleterious items including, but not limited to, fences, repairs and like matters, where he determines that such permit will not materially or substantially affect the outcome of the planning study. (2068)

SECTION 4.22 APPLICATIONS FOR VARIANCES, CHANGE OF ZONING OR TENTATIVE PLATS DURING MORATORIA. During the existence of any building moratorium, no applications for variances, changes of zoning or tentative plats within the affected area shall be acted upon by any city agency, except as provided in Section 4.19 (h) and if acted upon in violation of this section same are deemed void and of no force or effect. (2068)

SECTION 4.23 USABLE OPEN SPACE. Usable Open Space for apartment buildings four (4) or more stories in height shall be provided as follows: (2171)

(1) Each apartment building site shall provide usable open space equal to the minimum of twenty-five (25) percent of the building site and such area shall be appropriately landscaped with trees, shrubbery, grass, hedges and other acceptable landscape material.

Such landscaped area shall be maintained in a neat and orderly appearance. One-third (1/3) of the above requirement may be located on an elevated deck.

(2) Accessory deck used for recreation or other tenant use may count as required open space up to a maximum of one-third (1/3) the total required Usable Open Space, provided the height of such decks does not exceed thirty (30) feet.

(3) For the purpose of this ordinance, Usable Open Space shall mean outdoor area, except parking and other service areas, which is usable for outdoor living, recreation or landscaping, and which is open and unobstructed from the lowest level to the sky except for roof overhangs not in excess of two and one-half (2-1/2) feet, pedestrian walks and ingress and egress drives. All open space shall be accessible to, and usable by, all residents residing in the building.

SECTION 4.24 LANDSCAPED OPEN SPACE. Landscaped open space for commercial buildings shall be provided as follows: (2171, 2422)

(1) Buildings less that four (4) stories in height shall provide landscaped open space along the front of the building site of not less than five (5) feet and a landscaped open space along the side street of the building site of not less than three (3) feet. (2460)

(2) Buildings four (4) or more stories in height shall provide landscaped open space of not less than ten (10) percent of the area of the building site. Such landscaped area shall not be less in width or depth than ten (10) feet.

(3) All such landscaped open space shall be appropriately landscaped with trees, shrubbery, hedges and other acceptable landscaped material and shall be maintained in a neat and orderly appearance.

(4) For the purpose of this ordinance, landscaped open space shall mean ground level outdoor area, which is open and unobstructed from its lowest level to the sky, except for a roof and building overhang not in excess of five (5) feet. Arcades, corridors, parking and other service areas shall not be used in computing the landscaped open space.

5. BUILDING AREA REGULATIONS

SECTION 5.01 GENERAL. For the purpose of prescribing and regulating minimum and maximum permissible areas of buildings and structures within The City of Coral Gables, all R, D, and A Use Districts hereby are further classified and divided into Area Districts, as shown upon the Use and Area Map, and the regulations set forth hereinafter hereby are established, to govern minimum and/or maximum square foot floor area of buildings and structures, generally, as the context may apply or require. Any building or structure erected in any designated Area District shall comply with the minimum square foot floor area requirement for buildings in such Area District.

SECTION 5.02 AREA DISTRICT SYMBOLS. The minimum square foot floor area required in buildings for R, D and A Uses are indicated upon the Use and Area Map by number symbols, which number symbols represent the minimum square foot floor area requirements for buildings erected of such types and for such uses, as follows:

Symbol	Minimum Building Square Foot Floor Area Required
1	750
2	990
3	1027
4	1200
5	1409
6	1527
7	1727
8	1818
9	2000
10	2127
11	2155
12	2364
13	2427
14	2500
15	3027
16	3045
17	3409
18	3682
19	4000
20	4273

The designation of Area Districts by number symbols as set forth herein, when used throughout this code and upon the Use and Area Map, attached hereto and made a part hereof, shall have the same effect as if the full description or minimum square foot floor area requirements were stated. The use of a letter symbol coupled with a number shall connote both use and minimum building area. Special minimum area requirements fixed by the City Commission and varying from prescribed minimums listed for the several Area Districts above, may be designated by use of a combination of the two number symbols representing the Area District minimums between which the specific requirement falls.

SECTION 5.021 CHANGE IN MINIMUM BUILDING SQUARE FOOT FLOOR AREA. Changes in minimum building square foot floor area of more than five (5) percent for any specifically designated property may be approved by ordinance by the City Commission upon application to the Planning and Zoning Board and after a public hearing before such Board, at which all interested persons shall have been afforded an opportunity to be heard. (2250, 2300)

SECTION 5.03 DETERMINATION OF MINIMUM SQUARE FOOT FLOOR AREA. The minimum square foot floor area of existing or proposed buildings and structures shall be the sum of the gross horizontal floor area of the several stories of the building or structure, measured from the exterior faces of the exterior walls. Garages attached to and made a part of the main building or structure and screened porches shall be computed as one-half (1/2) of the square foot floor area contained therein. Detached private garages, garage apartments and other subordinate auxiliary use buildings and open porches, patios, porte-cocheres and areas having plastic, glass, aluminum or screened roofs shall not be taken into account in calculating the minimum square foot floor area as required by this code.

SECTION 5.032 MAXIMUM SQUARE FOOT FLOOR AREA. The maximum square foot floor area permitted for single family residence shall be the product of the area of the building site times the maximum floor area factor as set forth under the following tables: (2408)

AREA OF BUILDING SITE	MAXIMUM FLOOR AREA FACTOR
Up to 5,999 Square Feet	.48
6,000 - 7,499 Square Feet	.45
7,500 - 9,999 Square Feet	.42
10,000 - 14,999 Square Feet	.39
15,000 and over Square Feet	.35

In no case shall the maximum square foot floor area permitted in any category be less than the maximum permitted in the next smallest category.

The maximum square foot floor area shall be computed as set forth under Section 5.035 herein.

SECTION 5.035 DETERMINATION OF MAXIMUM SQUARE FOOT FLOOR AREA. The maximum square foot floor area of a single family residence shall be the sum of the gross areas of all the floors of the building or buildings, measured from the exterior faces of exterior walls and exterior faces of supporting columns for any floor not enclosed by exterior walls, but in no case shall the maximum square foot floor area in any category be less than the minimum, as required by the Zoning Code. In particular, gross floor area shall include the following: (2408)

a. Floor space in basements and cellars.

b. Elevator shafts and stairwells at each floor.

c. Floor space in penthouses.

d. Floor space in interior balconies or mezzanines.

e. Floor space in roofed terraces, car-ports, porte-cocheres, private garages, breezeways and screened or open porches.

f. Any other floor space used for dwelling purposes, mechanical equipment, utility rooms, storage rooms or recreation rooms, no matter where located within a building.

g. Floor space in auxiliary or accessory buildings.

SECTION 5.04 MINIMUM SIZE BUILDING IN "C" USE DISTRICTS. Any building constructed in any "C" Use District for any "C" Use or occupancy shall have a minimum street frontage of twenty-five feet (25') except when the same is constructed upon a lot less than twenty-five feet (25') platted width in which case, such building shall cover the entire frontage of the lot and shall have a minimum depth of fifty feet (50'); any building in such areas having twenty-five feet (25') or more frontage shall cover a minimum of one thousand two hundred fifty (1,250) square feet of ground area.

SECTION 5.05 MINIMUM SIZE BUILDING IN "M" USE DISTRICTS. Any building constructed in any "M" Use District for any "M" or "C" Use or occupancy shall have a minimum street frontage of twenty-five feet (25') except when the same is constructed upon a lot of less than twentyfive feet (25') platted width in which case the building shall cover the entire frontage of the lot and shall have a minimum depth of thirty feet (30'); any building in such areas having twenty-five feet (25') or more frontage shall cover a minimum of seven hundred fifty (750) square feet of ground area.

SECTION 5.051 MINIMUM UNIT AREA "C" AND "M" USES. Every part of unit upon the ground floor of every building intended for separate use or occupancy for any "C" or "M" Use shall have a minimum square foot floor area of not less than five hundred (500) square feet, provided, however, that this provision shall not apply in the following cases: (2208)

(a) To Lease Departments, as defined and limited under Section 2.243 herein.

(b) Businesses of a professional or clerical nature.

(c) Auxiliary use business establishments of a "CA" or "CB" Use classification located within hotels containing one hundred (100) or more guest rooms. (2290)

SECTION 5.06 MINIMUM UNIT FRONTAGE, "C" AND "M" USES. Every part or unit upon the ground floor of every building intended for separate use or occupancy for any "C" or "M" Use shall have a minimum of at least ten (10) feet street frontage, such frontage being measured by the inside wall-to-wall dimension of the particular building or each separate unit concerned, provided, however, that this provision shall not apply in the following cases: (2065, 2208)

(a) To units which are located upon a corridor and/or arcade;

(b) To Lease Departments, as defined and limited under Section 2.243 herein;

(c) To businesses of a professional or clerical nature.

(d) To auxiliary use business establishments of a "CA" or "CB" Use classification located within hotels containing one hundred (100) or more guest rooms. (2290)

SECTION 5.07 MINIMUM FLOOR AREA – SERVICE STATIONS. All service stations shall comply with the following minimum floor area requirements: (2310)

(a) The minimum floor area for an automobile service station shall be not less than one thousand two hundred fifty (1250) square feet.

(b) The minimum floor area for a self-service gasoline station shall be not less than two hundred fifty (250) square feet including the attendant control area, rest rooms, office, storage room and vending machine room.

SECTION 5.08 MINIMUM FLOOR AREA, APARTMENT UNITS, HOTELS AND MOTELS.

(1) The following minimum floor areas shall be provided for apartment units in any Use District: (1548, 2171)

(a) Apartment units designed so as to be used as an efficiency apartment shall contain a minimum floor area of not less than five hundred seventy-five (575) square feet.

(b) Apartment units designed so as to be used as a one (1) bedroom apartment shall contain a minimum floor area of not less than seven hundred fifty (750) square feet.

(c) Apartment units designed so as to be used as a two (2) bedroom apartment shall contain a minimum floor area of not less than nine hundred (900) square feet.

(d) Apartment units designed so as to be used as a three (3) bedroom apartment shall contain a minimum floor area of not less than eleven hundred (1100) square feet.

(e) Apartment units designed so as to be used as a four (4) or more bedroom apartment shall contain a minimum floor area of not less than twelve hundred fifty (1250) square feet.

(2) Each motel building shall contain a minimum of twenty-four hundred (2400) square feet of floor area, exclusive of loggias, open porches, breezeways, porte-cocheres, and garages. Each unit of any motel with the exception of the apartment for the manager or caretaker, shall contain a minimum of three hundred (300) square foot floor area, exclusive of any connection unit. The apartment of the manager or caretaker of a motel shall contain the minimum square foot floor area as set forth in this section for apartment units.

(3) Each hotel building shall contain a minimum of twenty-five hundred (2500) square feet of floor area, exclusive of loggias, open porches, breezeways, porte-cocheres and garages. Each hotel guest room shall contain a minimum of two hundred fifty (250) square foot floor area. (1994)

SECTION 5.09 MINIMUM AREA REQUIREMENTS FOR SPECIFIC USES IN LESS RESTRICTED USE DISTRICTS. Single family residence buildings in D-Use Districts shall conform to R-9 (two thousand) (2,000) square feet minimum area requirements. Duplex residence buildings in an A-Use District shall conform to D-10 (two thousand one hundred twenty-seven (2,127) square feet minimum area requirements.

Apartments or apartment-hotels in "C" Use Districts shall conform to A-13 (2427 minimum square foot floor area) requirements. (1994)

SECTION 5.10 MAXIMUM GROUND AREA COVERAGE GENERAL. Buildings or structures, designed and constructed for "R", "D" and "A" Uses or for apartment-hotels, hotels and motels, shall not occupy more than thirty-five (35) percent of the ground area of the building site upon which the building or structure is erected. Auxiliary buildings or structures, including swimming pools may occupy additional ground coverage but the total ground area occupied by the main building or structure and auxiliary structures shall not exceed forty-five (45) percent of the site upon which the structures are located. In no case can the main building or structure exceed thirty-five (35) percent of the lot or lots composing the site. "S" and "X" Use buildings or structures which may be permitted by ordinance to be located in "R", "D" and "A" Use Districts shall abide by the same minimum ground area coverage as set forth for "R", "D", and "A" Uses in such districts. (1994)

SECTION 5.11 MAXIMUM GROUND AREA, PRIVATE GARAGE, GARAGE APARTMENT AND APARTMENT GARAGE. No private garage or garage apartment shall be permitted to exceed six hundred (600) square feet in ground area, or one-third (⅓) of the ground area of the main building on the premises, whichever is greater. Apartment garages shall be permitted to contain a square foot area not more than sufficient to house a number of automobiles not exceeding the number of living units in the apartment building on the premises.

SECTION 5.12 PERCENTAGE REDUCTION ON SEVENTY-FIVE (75) AND ONE HUNDRED (100) FOOT SITES. In all R-Use Districts requiring a minimum building area of one thousand five hundred twenty-seven (1,527) square feet or more, where a single family residence is built upon a site consisting of one and one-half (1½) lots, or upon a site having a minimum of seventy-five feet (75') frontage, a five (5) percent reduction in minimum square foot floor area requirements shall be permitted; in all R-Use Districts requiring a minimum floor area of one thousand five hundred twenty-seven (1,527) square feet or more, where a single family residence is built upon a site consisting of two (2) lots, or

upon a site having a minimum of one hundred feet (100') frontage, a ten (10) percent reduction in minimum square-foot floor area requirements shall be permitted; provided, however, that in no event shall the minimum square-foot area requirements of any residence building be reduced by reason of the above provision below one thousand four hundred seventy-five (1,475) square feet. The word "lots", as used herein shall be construed to include only lots having a minimum of fifty feet (50') frontage according to the plat thereof. Where advantage is taken of the percentage reduction above permitted, the minimum side setbacks shall be ten feet (10') on each side: provided, however, that no reduction in minimum building area shall be allowed for any building on Lots 7 and 8, Block 106, "Biscayne Bay Section"; Lots 1 to 8, inclusive, and Lots 9 to 19, inclusive, Block 56, "Riviera Section Part Four"; and provided further, that Lots 1 and 10, Block 1 and Lot 1, Block 2, "Riviera Circle" shall be deemed for the purpose of this section to have one hundred foot (100') frontage.

SECTION 5.13 FLOOR AREA RATIO REQUIREMENTS FOR BUILDINGS FOUR (4) OR MORE STORIES IN HEIGHT. For the purpose of this ordinance the Floor Area Ratio which may be designated as (F.A.R.) is the total floor area of a building or buildings on a building site divided by the area of the site. The total floor area shall include the gross horizontal area of the several stories of any building or buildings on the site, as measured from the exterior facing of exterior walls, and shall include any building area not specifically excluded by other parts of this ordinance as floor area not applicable to or excluded from computing Floor Area Ratio. (1994, 2171)

(1) Maximum floor area ratio for "A" Use Districts, Special Uses in "A" Use Districts, apartments, apartment-hotels or hotels in "C" Use Districts, and University of Miami Dormitories.

Height of Principal Building in Stories	Maximum F.A.R.
4	1.00
5	1.10
6	1.20
7	1.30
8	1.40
9	1.50
10	1.60
11	1.75
12	1.85
13	2.00

(2) Exclusions from floor area ratio computations in "A" Use Districts, and apartment, apartment-hotels and hotels in "C" Use Districts.

(a) Unenclosed private balconies.

(b) Accessory deck which is defined as that area within the first twenty (20) feet above grade designed for the purpose of accommodating recreational activities and/or offstreet parking below its surface and/or usable open space on its upper level, none of which may be used for living purposes.

(c) Offstreet parking areas within the building.

(3) Maximum floor area ratio for "C" and "M" Use Districts, Special Uses in "C" or "M" Use Districts, excluding buildings in Blocks 197, 198, 199, 201, 202, 203, 204 and 205, Riviera Section Part 14, that portion of the Callahan Tract bounded on the North by South Dixie Highway, on the East by Turin Street, on the South by Avenue Madruga and on the West by Mariposa Court, Lots 1 thru 13, inclusive, Block 148; Lots 1, 17, 26 and 27 in Block 155; Lots 27, 28, 29, 30 and 31 in Block 156; and Tract "A", Riviera Section Part 8; Lots 1 and 2, Block 5 and Lots 1, 2, 3 and 4, Block 6, Riviera Waterways; and Tract "K" Addition to Riviera Waterways, apartments, apartment-hotels and hotels: (2307, 2362)

Height of Principal Building in Stories	Maximum F.A.R.
4 thru 13	3.00

In computing the Floor Area Ratio (F.A.R.) for commercial buildings, the site area used for off-street parking shall be included as part of the building site, provided that the off-street parking area commences within five hundred (500) feet of the actual building site and is joined with the building site by a Unity of Title. (2307)

(4) Exclusions from floor area ratio computations in "C" or "M" Use Districts excluding apartments, apartment-hotels and hotels.

(a) Open Plaza areas which is defined as the area within the first twenty (20) feet above grade which is unenclosed, except by clear glass or similar transparent material or supporting columns and maintained either as terrace and/or corridor area for the purpose of providing access to stairways, elevators or other uses serving the principal activities confined within the building.

(b) The area devoted to interior parking.

(5) Maximum floor area ratio for University of Miami Buildings other than dormitories.

Height of Principal Building in Stories	Maximum F.A.R.
4 through 13	6.00

(6) Maximum floor area ratio for "C" use buildings four (4) thru six (6) stories in height in Blocks 201, 202, 204, 205 and Lots 1 thru 10, inclusive and Lots 25 thru 34, inclusive, Block 203, Riviera Section Part 14 shall read as follows: (2307, 2362)

Height of Principal Building in Stories	Maximum F.A.R.
4 thru 6	1.5

In computing the Floor Area Ratio (F.A.R.) for commercial buildings, the site area used for off-street parking shall be included as part of the building site, provided that the off-street parking area commences within five hundred (500) feet of the actual building site and is joined with the building site by a Unity of Title. (2307)

(7) Maximum floor area ratio for "C" use buildings four (4) stories in height located on the following described property: (2362)

In Callahan Tract

That portion of the Callahan Tract bounded on the North by South Dixie Highway, on the East by Turin Street, on the South by Avenue Madruga and on the West by Mariposa Court.

In Riviera Section Part 8

Lots 1 thru 13, inclusive, Block 148
Lots 1, 17, 26 and 27 in Block 155
Lots 27, 28, 29, 30 and 31 in Block 156
Tract "A"

In Riviera Section Part 14

All lots and tracts in Blocks 197, 198 and 199

In Riviera Waterways

Lots 1 and 2 in Block 5
Lots 1, 2, 3 and 4 in Block 6

In Addition to Riviera Waterways

Tract "K" shall not exceed the following:

Height of Principal Building in Stories	Maximum F.A.R.
4	1.5

In computing the Floor Area Ratio (F.A.R.) for commercial buildings, the site area used for off-street parking shall be included as part of the building site, provided that the off-street parking area commences within five hundred (500) feet of the actual building site and is joined with the building site by a Unity of Title. (2362)

6. SETBACK REQUIREMENTS

SECTION 6.01 GENERAL. No building or structure, or any part thereof, including porches, projections or terraces, but not including uncovered steps, shall be erected at a lesser distance from the front, side or rear line of any building site than the front, side or rear setback distance, respectively, prescribed and established herein for such building site. Setback requirements for specifically described or designated properties or uses shall take precedence and shall govern over general setback requirements prescribed for Use Districts.

SECTION 6.02 SETBACK FROM WATERWAY OR BAY. On all building sites abutting upon a canal, waterway or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used for occupancy for residential or commercial purposes shall be thirty-five feet (35') from the canal, waterway line or bayshore line, as platted, except as follows:

(1) Every boat house shall maintain the same minimum setback from the platted canal line or bay front as established for the main structure permitted on the property.

(2) **In Baker Homestead.** The minimum setback from the waterway, as platted, shall be sixty-five (65) feet for Lot 5. (1486)

(2.5) **In Cocoplum Section One.** (2079)

(a) The minimum setback from the waterway line or bay shore as platted shall be thirty-five (35) feet.

(2.7) **In Cocoplum Section Two, Plats "A", "B" and "C".** (2329, 2343, 2367)

The minimum setback from the waterway or the canal line as platted, shall be thirty-five (35) feet.

(3) **In Coral Bay Section "A".** The minimum setback from a waterway line, canal line or bayshore line, as platted, shall be twenty-five (25) feet for main residence buildings and twenty (20) feet for screened patios and/or swimming pools. (1819)

(4) **In Coral Bay Section "B".** The minimum setback from a waterway line, canal line or bayshore line, as platted, shall be twenty-five (25) feet for main residence buildings and twenty (20) feet for screened patios and/or swimming pools on Lots 2 to 55, inclusive, all in Block 3, and all lots in Block 4.

(5) **In Coral Bay Section "C".** The minimum setback from a waterway line, canal line or bayshore line, as platted, shall be twenty (20) feet for main residence buildings and screened enclosures.

(6) **In Coral Bay Section "D".** The minimum setback from a canal, waterway line or bayshore line, as platted, for buildings or portions thereof, designed or used for occupancy as residential, duplex, apartment or commercial purposes, shall be thirty-five (35) feet for Tract "A" and twenty (20) feet for all lots in Blocks 10 to 26, inclusive, and 28, 29, 30 and 31.

(7) **In Gables Estates No. 2**

(a) The minimum setback from a waterway line, canal line or bayshore line, as platted for Lot 17 and Lots 22 through 26, Block "A" and Lots 7, 16, 23, 24 and 54, Block "B" shall be thirty-five (35) feet.

(b) The minimum setback from a waterway line, canal line or bayshore line as platted for Lots 1 through 16, inclusive; Lots 18 through 21, inclusive, and Lots 27 through 38, inclusive, all in Block "A" and Lots 1 through 6, inclusive; Lots 8 through 15, inclusive; Lots 17 through 22, inclusive, and Lots 25 through 53, inclusive; all in Block "B" and Lots 1 and 2 in Block "C" shall be fifty (50) feet.

(8) **In Gables Estates No. 3.** The minimum setback from a waterway line, canal line or bayshore line, as platted, shall be fifty (50) feet.

(9) **In Gables Estates No. 4.** The minimum setback from a waterway line, canal line or bayshore line, as platted, shall be fifty (50) feet for all buildings or portions thereof designed or used for occupancy for residential purposes.

(9.1) In Guma Subdivision. (2021)
(a) Lot 2, Block 1 ..... 25 feet

(10) **In Hammock Oaks Harbor Section 2.** The minimum setback from a waterway line, as platted, shall be twenty-five (25) feet for Lots 1 to 46, inclusive, Block 3.

(10.1) **In Hammock Oaks Harbor Section 3.** The minimum setback from the waterway line, canal line or lake as platted shall be twenty-five (25) feet for Lots 19 to 26, inclusive, Block 2. (2227)

(10.2) **In H. H. B. Property.** The minimum setback from a waterway line, canal line or bayshore line as platted shall be fifty (50) feet for Lots 1, 2 and 3, Block 1. (2335)

(10.5) In "Journey's End Estates" (2083)
(1) Lot 6 ..... 50 feet from East
30 feet from South
(2) Lots 7, 8, 9, 10, 11, 12, 16, 17 & 18 .... 50 feet

(11) **In Old Cutler Bay Section One.** (1513)

(a) The minimum setback from a canal or waterway line, as platted, shall be thirty-five (35) feet for Lot 2, Block 1; Lots 2 to 11, inclusive, Block 2, and Lots 1, 2, 3 and 4, Block 3.

(b) The minimum setback from a canal or waterway line, as platted, shall be twenty-five (25) feet for Lots 1, 12, 15, 16, 19, 23, 24, and 25, Block 2.

(12) **In Old Cutler Bay Section Two.** The minimum setback from a waterway line, canal line or bayshore line as platted for Lot 1 and Lots 3 to 20, inclusive, shall be thirty-five (35) feet. (1513)

(12.5) **In Old Cutler Bay Section Three** (1545)
(a) Lots 4 to 17, inclusive . . . . 35 foot minimum

(12.6) **In Old Cutler Bay Section Four** (1598)
(a) Lots 26 to 41, inclusive, Block 2 . . . . . 35 foot minimum
(b) Lots 74 to 83, inclusive, Block 2 . . . . . 35 foot minimum
(c) Lots 18 and 19, Block 3 . . . . 35 foot minimum

(12.7) **In Old Cutler Bay Section Four 'A'** (1641)
(a) Lot 84, Block 2 . . . . . 35 foot minimum
(b) Lots 20 to 30, inclusive, Block 3 . . . . . 35 foot minimum
(c) Lot 31, Block 3 . . . . . 25 foot minimum

(12.8) In "Old Cutler Bay Section Five" (1695)
(a) Lots 42 to 73, inclusive, Block 2 . . . . . 35 foot minimum

(13) **On Mahi Canal.**
(a) The minimum setback from the North side of Mahi Canal, as dug, shall be thirty-five feet (35') for screened enclosures.
(b) The minimum setback from the South side of the Mahi Canal, as platted, shall be twenty-five feet (25') for screened enclosures.

SECTION 6.03 SETBACK REQUIREMENTS – AUXILIARY BUILDINGS AND STRUCTURES. Except as specifically prescribed herein to the contrary, subordinate and accessory buildings or structures permitted as auxiliary uses shall be governed by the same minimum setback requirements as the main or principal building provided that: (2027)

(1) Swimming pools may be constructed within the minimum setback required from waterways.

(2) (a) No setback shall be required for bomb shelters and/or fallout shelters when such shelters are constructed completely below grade provided, however, that no such shelter shall be constructed in the utility easement areas and provided further that the entrance door to subject shelters are not constructed in the setback area as required for the main or principal building.

(b) Except as provided for in the following cases and in Sub-paragraph (7) of Section 3.34 of this ordinance, no accessory or auxiliary building or structure may be located in the area between the street and the main residential building or any part thereof: (2091)

1. On inside lots, screened enclosures and swimming pools may be located within an "L" or "U" of the building facing upon a front street.
2. On corner lots, screened enclosures and swimming pools may be located within a "U" of the building facing upon either the front or side streets.
3. On corner lots, screened enclosures and swimming pools may be located within an "L" of the building providing that such "L" is not visible in both the front and side elevation.

(c) In no case shall an auxiliary building or structure be located closer to the front or side street of a lot or building site than the main or principal building.

SECTION 6.04 SETBACK REQUIREMENTS — MOTELS. The following special setback requirements shall be required and maintained in connection with motels:
Minimum front setback. Ten feet (10').
Minimum side setback. Ten (10) feet, except that where the building site is adjacent to property zoned for R, D or A Uses, a minimum side setback of fifteen feet (15') shall be maintained from any side line that abuts upon a street.
Minimum rear setback. Five feet (5'), where the building site abuts upon an alley to the rear; and ten feet (10') where the building site does not abut upon an alley to the rear.

SECTION 6.05 SETBACK REQUIREMENTS — SWIMMING POOLS.

(1) **Minimum front setback.** Same as requirements for a residence located on the parcel where pool is to be constructed, provided, however, that in no case shall the pool be located closer to a front street line of a lot or building site than the main or principal building is located.

(2) **Minimum side setback.** Fifteen (15) feet on each side, except that on the following described property a minimum setback of twenty (20) feet shall be required from one side line and a minimum setback of thirteen (13) feet shall be required from the other side line, to-wit: (2341)

"CORAL BAY SECTION 'C'"

LOTS	BLOCK
15,16,17	5
1,2,17,18,19	6
1,2,17,18,19,20,21	7
4,5,6,21,22	8
1,2,3,16,17	9

"CORAL BAY SECTION 'D'"

LOTS	BLOCK
1,2,3,14,15	10
1,2,3,14,15	11
1,2,3,14,15	12
1,2,3,14,15	13
1,2,3,14,15	14
4,5,6,12,13,14,15,16	
20,21,22,24,25,26	15
1,2,3,5,6,7,11,12,13	16
1,2,6,7,8,9,17,18,19	17
1,2,21,22,23	18

"CORAL BAY SECTION 'D'"

LOTS	BLOCK
1,2,20,21,22	19
1,2,17,18,19	20
1,15,16,17	21
1,2,15,16,17	22
1,2,15,16,17	23
1,2,15,16,17	24
1,2	25
46,47	28
1,2,3	30

(3) Minimum rear setback. Twelve (12) feet. (2341)

(4) All setbacks for swimming pools shall be measured from the water's edge of the pool to the nearest property line in question. (2325)

SECTION 6.06 SETBACK REQUIREMENTS, R, D AND S USE DISTRICT, GENERAL

(a) **Front Setback.** A minimum front setback of twenty-five feet (25') shall be maintained and required on all building sites in R, D and S Use Districts, except that on building sites on platted lots less than seventy-five feet (75') in depth, a minimum front setback of fifteen feet (15') shall be required.

(b) **Side Setbacks.** Inside lots in R, D and S Use Districts shall have minimum side setbacks which total twenty (20) percent of the width of the lot measured across the front setback line up to a maximum of twenty feet (20'). A minimum side setback of fifteen feet (15') shall be required and maintained from any side line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one side abutting upon a street on which other lots in the same block face, must setback a minimum distance from such side street as is provided herein as the minimum front setback for buildings facing such side street. In no case shall a side setback be less than five feet (5').

Building sites, where a reduction in the minimum square foot floor area of the building was permitted as set forth in Section 5.12, shall be required to maintain a minimum side setback of ten feet (10') on each side.

(c) **Rear Setback.** A minimum rear setback of five feet (5') shall be maintained and required on all building in R, D and S Use Districts.

SECTION 6.07 SETBACK REQUIREMENTS FOR BUILDINGS LESS THAN FOUR (4) STORIES IN HEIGHT IN "A" USE DISTRICTS, GENERAL.(2171,2411)

(a) **Front Setback.** A minimum front setback of twenty (20) feet shall be maintained and required on all building sites in A-Use Districts, for all buildings other than private garages and garage apartments. The minimum front setback for private garages and garage apartments shall be sixty (60) feet.

(b) **Side Setback.** A minimum side setback of ten (10) feet from each side line shall be required and maintained on all building sites in A-Use Districts for buildings erected and used for D, A and S uses, of which at least eight (8) feet shall be unobstructed, clear of steps and other impediments. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of such building site that abuts upon a street.

(c) **Rear Setback.** A minimum rear setback of ten (10) feet shall be maintained and required on all building sites in A-Use Districts abutting upon an alley. A minimum rear setback of fifteen (15) feet shall be maintained and required on all building sites in A-Use Districts not abutting upon an alley.

SECTION 6.08 SETBACK REQUIREMENTS FOR BUILDINGS LESS THAN FOUR (4) STORIES IN HEIGHT IN "CA" USE DISTRICTS, GENERAL. Except as provided for in Section 6.15 for apartments, apartment-hotels and hotels, the following general setbacks shall be required in CA Use Districts: (1994,2411)

(a) **Front Setback.** A minimum front setback of ten feet (10') shall be maintained and required on any building site in CA-Use Districts for buildings constructed and used for S or CA Uses.

(b) **Side Setback.** No side setback shall be required on any building site in CA-Use Districts for buildings constructed and used for S or CA Uses.

Residential use buildings in commercial districts shall provide a ten foot (10') side yard or court on either side above the first story.

(c) **Rear Setback.** No rear setback shall be required on any building site in CA-Use Districts for buildings constructed and used for S or CA Uses, where such building sites abut upon an alley at the rear, but a minimum rear setback of ten feet (10') shall be maintained and required for such buildings when situated

upon building sites not abutting upon an alley at the rear.

SECTION 6.09 SETBACK REQUIREMENTS FOR BUILDINGS LESS THAN FOUR (4) STORIES IN HEIGHT IN "CB" AND "CC" USE DISTRICTS, GENERAL. Except as provided for in Section 6.15 for apartments, apartment-hotels and hotels, the following general setbacks shall be required in CB and CC Use Districts. (1994,2411)

(a) **Front Setback.** No front setback shall be required except at a corner lot which has no radii, in which case the building shall have a ten feet (10') setback from the corner between three feet (3') and eight feet (8') above the established grade.

(b) **Side Setback.** No side setback shall be required except at a corner lot which has no radii, in which case the building shall have a ten feet (10') setback from the corner between three (3) and eight (8) feet above the established grade.

Residential use buildings in commercial districts shall provide a ten foot (10') side yard or court on either side above the first story.

(c) **Rear Setback.** No rear setback shall be required where such building site abuts upon an alley at the rear, but a minimum rear setback of ten feet (10') shall be maintained and required for any building when situated upon a building site not abutting upon an alley at the rear.

SECTION 6.10 SETBACK REQUIREMENTS FOR BUILDINGS LESS THAN FOUR (4) STORIES IN HEIGHT IN "M" USE DISTRICTS, GENERAL. (2411)

(a) **Front Setback.** No front setback shall be required except at a corner lot which has no radii, in which case the building shall have a ten feet (10') setback from the corner between three feet (3') and eight feet (8') above the established grade.

(b) **Side Setback.** No side setback shall be required except at a corner lot which has no radii, in which case the building shall have a ten feet (10') setback from the corner between three (3) and eight (8) feet above the established grade.

(c) **Rear Setback.** No rear setback shall be required where such building site abuts upon an alley at the rear, but a minimum rear setback of ten feet (10') shall be maintained and required for any building when situated upon a building site not abutting upon an alley at the rear.

SECTION 6.11 MINIMUM FRONT SETBACKS, SPECIFIC LOCATIONS. The following minimum front setback requirements hereby are established for all building sites specifically designated or described herein. Unless otherwise specified herein, setback distances are to be measured from front line of the site. Such requirements shall prevail and govern over general minimum front setback requirements established in the several Use Districts.

In Section "A"

(1) Facing upon Granada Boulevard or Coral Way - 50 feet.

In "Avocado Land Company Subdivision Tract 7" (1571)

(1) Red Road - 100 foot minimum, for a private school.

In Section "B"

(1) Facing upon North Greenway Drive or South Greenway Drive (except building sites in Block 33) - 35 feet.

(2) Facing upon Coral Way in Blocks 34 and 35 Anderson's Resubdivision of Lot C - 50 feet.

(3) Facing upon Coral Way, in Block 8 and 9 - 25 feet (except Lot 13 and E 20 feet of Lot 14, Block 8, which shall be 12 feet).

(4) Facing upon Granada Boulevard (except building sites in Block 35) - 50 feet.

(5) Facing upon Granada Boulevard, in Block 35 - 35 feet.

In "Baker Homestead" (1486)

(1) Lot 1 - 25 foot minimum
(2) Lot 2 - 25 foot minimum
(3) Lot 3 - 20 foot minimum
(4) Lot 4 - 25 foot minimum
(5) Lot 5 - 65 foot minimum from waterway
(6) Lot 6 - 25 foot minimum
(7) Lot 7 - 25 foot minimum
(8) Lot 8 - 25 foot minimum from South
Lot 8 - 20 foot minimum from West

In The Banyan Tree (2398)

(1) Lots 1 and 2, Block 1 - 35 feet.

In "Biltmore Addition" (resubdivision P.B. 42, Page 50)

(1) Facing upon Avenue Catalonia in Block 39 of Resubdivision P.B. 42, Page 50 - 20 feet.

In "Biltmore Section" (Including Resubdivision Block 4)

(1) Facing upon Coral Way in Block 1 and 2 and Tract "A" in Block 4 - 25 feet.

(2) Facing upon Coral Way in Lots 1 to 11, inclusive, Block 3 - 15 feet. (1517)

(3) Facing upon Biltmore Way in Block 3 and 7; Lots 1 to 16, inclusive, Block 6; Lots 15 to 26, inclusive, Block 4 - 10 feet.

(4) Facing upon Avenue Andalûsia Lots 17 to 24, inclusive, Block 6 - 10 feet.

In "Biscayne Bay Section"

(1) Facing upon Biera Mar or Ridge Road - 30 feet.

In "Bruno Estates"

(1) Lots adjacent to Old Cutler Road - 25 feet.

In "Section C"

(1) Facing upon Granada Boulevard or Coral Way - 50 feet.

(2) Facing upon North Greenway Drive or South Greenway Drive - 35 feet.

In "Caravel Estates" (1867)

(1) Lots 1 and 2 - 25 feet.

In "Coconut Grove Manor"

(1) Facing upon Manor Place in Block 5 - 20 feet.

In "Coconut Grove Section"

(1) Lots 41 and 42, Block 16 - 20 feet.

In "Coconut Grove Terrace"

(1) Facing upon East side of Harlano Street - 35 feet.
(2) Facing upon West side of Harlano Street - 25 feet.

In "Coconut Grove Warehouse Center"

(1) On Lots 31 to 57, inclusive - 15 feet from Industrial Avenue.

(2) All other building sites in R-Use Districts - 15 feet.

In "Cocoplum Beach Property"

(1) Facing upon Biera Mar or Ridge Road - 30 feet.

In Cocoplum Section One (2079)

(1) Lots facing upon Casuarina Concourse – 50 feet
(2) Lots facing upon Old Cutler Road – 35 feet
(3) Lots facing upon Avenue Puerta, Ridge Road and Avenue Santurce – 35 feet
(4) Lots facing upon Davis Road – 35 feet
(5) Lots facing Calatrava Court – 35 feet
(6) All other lots in Blocks 1 thru 11, inclusive – 25 feet

In Cocoplum Section Two, Plat "A" (2329)

(1) All lots – 50 feet

In Cocoplum Section Two, Plat "B" (2343)

(1) All lots – 25 feet

In Cocoplum Section Two, Plat "C" (2367)

(1) All lots in Blocks 15, 16 and 17 – 25 feet

In "Coga Subdivision"

(1) Lots 1 to 5, inclusive, Block 1 — 25 feet
(2) Lots 1 to 6, inclusive, Block 2 — 25 feet
(3) Lots 1 to 29, inclusive, Block 3 — 25 feet
(4) Lot 1, Block 4 — 25 feet
(5) Lot 7, Block 2 — 15 feet
(6) Lots 5 to 11, inclusive, Block 4 — 15 feet
(7) Lot 2, Block 4 — 22 feet
(8) Lot 3, Block 4 — 20 feet
(9) Lot 4, Block 4 — 18 feet

In "Coral Bay Section 'A'"

(1) Where the front lot line is formed partially by the arc of the cul-de-sac, in this event the set-back from the arc shall be a minimum of seven and one-half feet (7½'). (2018)
(2) Where the front lot line is formed completely by the arc of the cul-de-sac, in this event the set-back from the arc shall be a minimum of fifteen feet (15'). (2018)
(3) Lot 14, Block 2 – 25 feet from Avenue Lugo (1819)
(4) SUPERSEDED BY ORDINANCE NO. 2021
(5) Lot 17, Block 2 – 25 feet from Avenue Coruna (1819)

In "Coral Bay Section 'B'"

(1) Lots 43 and 45, Block 3 and Lots 29 and 31, Block 4 shall have a minimum front setback from the most southerly and northerly portion of the arcs of 12.50 feet.
(2) All other lots shall have a minimum front setback of 25 feet.

In "Coral Bay Section 'C'"

(1) All lots shall have a minimum front setback of twenty-five feet (25') except:
   (a) Where the front lot line is formed partially by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of seven and one-half feet (7½').
   (b) Where the front line is formed completely by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of fifteen feet (15').

In "Coral Bay Section 'D'"

(1) All R and D Use lots shall have a minimum front setback of twenty-five feet (25') except:
   (a) Where the front lot line is formed partially by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of seven and a half feet (7½').
   (b) Where the front lot line is formed completely by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of fifteen feet (15').
(2) All A-Use lots in Block 28 shall have a minimum setback of fifteen feet (15').
(3) All apartment buildings in Tract "A" shall have a minimum setback of twenty-five feet (25').

In "Cortez Place"

(1) Facing upon Catalina Place, Avenue Angelo and Avenue Trascoro — 15 feet.

In "Country Club Section Part One"

(1) Facing upon Granada Boulevard or upon the East side of Alhambra Circle — 50 feet.
(2) Facing upon Avenue Anastasia in Blocks 8, 9, 10, 11, 12 and 22 — 35 feet.
(3) Facing upon Avenue Anastasia in Block 7 — 50 feet.

In "Country Club Section Part Two"

(1) Facing upon Granada Boulevard — 50 feet.

In "Country Club Section Part Three"

(1) Facing upon Granada Boulevard (except Lots 15 to 20, inclusive, Block 45) — 50 feet.
(2) Lots 15 to 20, inclusive, Block 45 as follows:

Lot 15	44 feet	Lot 18	47 feet
Lot 16	45 feet	Lot 19	48 feet
Lot 17	46 feet	Lot 20	49 feet

In "Country Club Section Part Four"

(1) Facing upon Granada Boulevard — 50 feet.
(2) Facing upon Alhambra Circle, Alhambra Court, Mariola Court and Bird Road in Block 50 (including portions thereof replatted as part of Miami Biltmore Hotel and Country Club P. B. 40, Page 1, except that portion of Tract 1 abutting Bird Road) — 50 feet.
(3) Facing upon Avenue Anastasia (including any portions of Country Club Section, Part 4 replatted as part of Miami Biltmore Hotel and Country Club, except that portion designated as Veterans Hospital, P. B. 40, Page 1) — 35 feet.
(4) Facing upon Avenue Anastasia in that portion designated as Veterans Hospital and shown on P. B. 40, Page 1 as Miami Biltmore Hotel and Country Club Grounds — setbacks similar to those now existing.

In "Country Club Section Part Five"

(1) Facing upon San Amaro Drive in Block 90 — 30 feet.
(2) Facing upon Blue Road in Tract 1 — 30 feet.
(3) Facing upon Granada Boulevard — 35 feet.
(4) Facing upon Avenue Mendavia in Blocks 90, 93, 96 and Tracts 1 and 4 — 30 feet.
(5) Facing upon Pinta Court in Block 93 — 30 feet.
(6) Facing upon University Drive in Block 97 — 30 feet.
(7) Facing upon University Drive in Block 98 — 35 feet.
(8) Facing upon Santa Maria Street — 30 feet.

In "Country Club Section Part Six"

(1) Facing upon Avenue Cadima in Block 144 — 20 feet.
(2) Facing upon Avenue Candia in Block 152 — 20 feet.
(3) Facing upon Avenue Fluvia in Block 145 — 20 feet.
(4) Facing upon Riviera Drive in Blocks 143 and 149 — 15 feet.

In "Section 'D'"

(1) Facing upon Coral Way — 50 feet.

In "Section 'E'"

(1) Facing upon Coral Way — 50 feet.

(2) Facing upon Country Club Prado — 35 feet.
(3) Facing upon North Greenway Drive in Blocks 4, 13, 14 and 15 — 35 feet.
(4) Facing upon South Greenway Drive in Blocks 5 and 12 — 35 feet.

In "Fairchild Manors"
(1) Lot 1, Block 1 and Lot 1, Block 3 — 35 feet from Old Cutler Road.
(2) Lots 2 and 3, Block 1; and Lots 1, 2, 3 and 4, Block 2; Lots 2 and 3, Block 3; and Block 4 — 25 feet.

In "Flagler Street Section" (East Coral Gables)
(1) All building sites abutting Flagler Street — 35 feet from center line of Flagler Street.

In "French Village" (1737, 1995)
(1) The front set-backs for Lots 1 through 12, inclusive, Block 4 shall conform to the existing front set-backs in the block.
(2) The front set-backs for Lots 11 through 16, inclusive, Block 6 shall conform to the existing front set-back in the block.

In "Golden Gate"
(1) All building sites abutting Grand Avenue — 5 feet from Grand Avenue.
(2) All building sites in R-Use Districts — 15 feet.

In "Granada Section"
(1) Facing upon Avenue Algeria in Lots 11 to 14, inclusive, Block 15 — 15 feet.
(2) Facing upon Country Club Prado — 35 feet.
(3) Facing upon Granada Boulevard in Block 4F — 15 feet.

In "Gables Estates No. Two"
(1) Lots 17 and 22 to 26, inclusive, Block 'A', and Lots 7, 16, 23, 24 and 54, Block 'B' — 35 feet.
(2) Lots 1 to 16, inclusive; Lots 18 to 21, inclusive; and Lots 27 to 38, inclusive, All in Block 'A', and Lots 1 to 6, inclusive; Lots 8 to 15, inclusive; Lots 17 to 22, inclusive; Lots 25 to 53, inclusive; and Lot 56, All in Block 'B', and Lots 1 and 2, Block 'C' — 50 feet.

In "Gables Estates No. Three"
(1) All lots — 50 feet.
(2) Parcel 'C' — to be established.

In "Gables Estates No. Four"
(1) Tract 'E' and all of lots in Blocks G and F — 50 feet.

In "Guma Subdivision." (2021)
(1) Lots 1 and 2, Block 1 – 25 feet

In "Hammock Heights" (1652)
(1) Lots 1, 2 and 3, Block 1 – 25 feet
(2) Lot 1, Block 2 – 25 feet
(3) Lot 1, Block 3 – 25 feet
(4) Lot 1, Block 4 – 35 feet
(5) Lots 2, 3, 4, 5 and 6, Block 4 – 25 feet

In "Hammock Oaks Harbor"
(1) Lots 1 to 23, inclusive, Block 1 — 35 feet.
(2) Lots 24 to 31, inclusive, Block 1 — 30 feet.

In "Hammock Oaks Harbour Section Two"
(1) Lots 1 to 12, inclusive, Block 2 – 35 feet.
(2) Lots 1 to 39, inclusive, Block 3 – 35 feet.
(3) Lots 40 to 45, inclusive, Block 3 – 30 feet.
(4) Lot 46, Block 3 – 35 feet. (1859)

In Hammock Oaks Harbor Section 3 (2227)
(1) Lots 13 to 26, inclusive, Block 2 ..... 35 feet
(2) Lots 1 to 5, inclusive, Block 4 ..... 35 feet

In H. H. B. Property (2335)
(1) Lots 1, 2 and 3, Block 1 ..... 50 feet

In "Journey's End Estates" (2083)
(1) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16 and 17 – 75 feet
(2) Lot 11 – 75 feet from cul-de-sac
(3) Lot 12 – 125 feet
(4) Lot 18 – 210 feet from cul-de-sac

In "Section 'L'"
(1) Lots 16 to 40, inclusive, Block 22 — 10 feet.
(2) Lots 1 to 8, inclusive, Block 30 — 3 feet.
(3) Lots 9 to 25, inclusive, Block 30 — 10 feet.

In Tract 1, Leyshon Property (2132)
(1) Parcel 1 – 35 feet from Old Cutler Road
(2) Parcels 2 & 5 – 55 feet from East Lot Line
(3) Parcels 3 & 4 – 55 feet from West Lot Line

In "MacFarlane Homestead"
(1) On all building sites abutting Grand Avenue — 20 feet from Grand Avenue.
(2) On all building sites in R-Use Districts — 15 feet.

In Old Cutler Bay Section One
(1) All lots shall have a minimum front setback of 25 feet.

In Old Cutler Bay Section Two (1513)
(1) Lot 1 — 25 foot minimum.
(2) Lots 3 to 16, inclusive — 25 foot minimum.
(3) Lots 17 and 18 — 25 foot minimum, except on curve of cul-de-sac which shall be 15 foot minimum.
(4) Lots 19 and 20 — 15 foot minimum.

In "Old Cutler Bay Section Three" (1545)
(1) Lots 4 to 17, inclusive – 25 foot minimum

In "Old Cutler Bay Section Four" (1598)
(1) Lots 26 to 41, inclusive, Block 2 – 25 foot minimum
(2) Lots 74 to 83, inclusive, Block 2 – 25 foot minimum
(3) Lots 18 and 19, Block 3 – 25 foot minimum

In "Old Cutler Bay Section Four 'A'" (1641)
(1) Lot 84, Block 2 – 25 foot minimum from Solano Prado and Marquesa Drive
(2) Lots 20 to 31, inclusive, Block 3 – 25 foot minimum

In "Old Cutler Bay Section Five" (1695)
(1) Lots 42 to 73, inclusive, Block 2 ..... 25 foot minimum

In Pino Subdivision (2081)
(1) Lots 1, 2 and 3, Block 1 25 feet

In "Riviera Circle"
(1) Lots 1 and 10, Block 1 and Lot 1, Block 2 — 25 feet from Riviera Drive.
(2) Lots 2, 3, 4, 7, 8 and 9, Block 1 — 20 feet from Riviera Court.
(3) Lots 5 and 6, Block 1 — 15 feet from Riviera Court.
(4) Lots 2, 3 and 4, Block 2 — 20 feet from Riviera Court.

In "Riviera Section Part Two"
(1) Lots 31 and 32, Block 95 — 2 feet 8 inches.
(2) Lots 1 and 2, Block 96 — 10 feet.

(3) Lots 3 and 4, Block 96 - 25 feet.

(4) The front set-backs for Lots 1 through 14, inclusive, Block 100 shall conform to the existing front set-backs in the block. (1995)

In "Riviera Section Part Three"

(1) Lots facing upon Granada Boulevard - 35 feet.

In "Riviera Section Part Four"

(1) Lots facing upon Granada Boulevard - 35 feet.

In "Riviera Section Part Eight"

(1) Tract "A" - 125 feet (P.B. 46, Page 100).

In "Riviera Section Part Nine"

(1) Lots facing upon Granada Boulevard, except in Block 135 - 35 feet.

(2) Block 135 - 85 feet from Granada Boulevard.

(3) Lots abutting marginal asset street in Block 135 - 25 feet.

(4) Lots abutting Avenue Aguero in Block 135 - 25 feet.

(5) Lots abutting Marius Street in Block 135 - 25 feet.

(6) The front set-backs for Lots 1 through 20, inclusive, Block 145 shall conform to the existing front set-backs in the block. (1995)

In "Riviera Section Part Ten"

(1) Lots facing upon Granada Boulevard - 35 feet.
(2) Lots facing upon Avenue Maggiore in Blocks 122 and 124 - 15 feet.

In "Riviera Section Part Eleven"

(1) Lots facing Granada Boulevard - 35 feet.

(2) The front set-backs for Lots 1, 2, 3 and 4, Block 267 shall conform to the existing front set-backs in the block. (1995)

In "Riviera Section Part Twelve"

(1) Lots facing Granada Boulevard - 35 feet.

(2) The front set-backs for Lots 1 through 9, inclusive, Block 244 shall conform to the existing front set-backs in said Lots 1 through 9. (1995)

In "Riviera Section Part Fourteen"

(1) In Block 199, "Riviera Section Part Fourteen", according to 2nd Revised Plat thereof, P.B. 28/32, or any replat of all or part of such Block - 56 feet from U.S. Highway No. 1.

In "Singer Subdivision No. Two"

(1) Lot 1, Block 1 - 25 feet from Avenue Madruga, and 25 feet from Turin Street.

(2) Lots 2, 3 and 4, Block 1 - 25 feet.

(3) Lots 5, 6, 7 and 8, Block 1 - 25 feet.

(4) Tract 'A' - 15 feet from Avenue Madruga, and 15 feet from Turin Street.

(5) Tract 'B' - 15 feet from Avenue Madruga, and 15 feet from Turin Street.

In "Sunrise Harbour"

(1) On Lots 1 to 20, inclusive, Block 1 - 15 feet.

(2) On Lots 15 to 39, inclusive, and Lot 102, Block 2 - 35 feet.

(3) Lots 40 to 101, inclusive, Block 2 - 25 feet.

In Sunset Bay Estates (2333)

(1) Lots 1, 2, 3 and 4, Block 1 - 25 feet.

In "Welbon Subdivision"

(1) Lots 1 and 30 - No front setback required.

SECTION 6.12 MINIMUM SIDE SETBACKS, SPECIFIC LOCATIONS. The following minimum side setback requirements hereby are established for all building sites specifically designated or described herein. Unless otherwise specified setback distances herein are to be measured from side lot lines of the site. Such requirements shall prevail and govern over general minimum side setback requirements established in the several Use Districts.

In Acreage

(1) In that part of the NW 1/4 of the SE 1/4 of Section 20, Township 54 S, Range 41 E lying between U.S. Highway No. 1 (South Dixie Highway) and F.E.C. Railroad - 35 feet from the East and West center line of Section 20-54 S 41 E on Grand Avenue.

In "Section 'A'"

(1) East line of Lot 5, Block 18 - 10 feet.

In "Avocado Land Company Subdivision, Tract 7" (1571)

(1) Avenue Campamento - 80 foot minimum, for a private school.

(2) North Property Line - 100 foot minimum from present property line for a private school.

In "Section 'B'"

(1) On all lots abutting LeJeune Road - 7-1/2 feet from LeJeune Road (except Block 8).

In Baker Homestead (1486)

(1) Lot 1 - 55 foot minimum from West.
Lot 1 - 25 foot minimum from East.

(2) Lot 2 - 20 foot minimum from North.
Lot 2 - 55 foot minimum from South.

(3) Lot 3 - 25 foot minimum.

(4) Lot 4 - 25 foot minimum from South.
Lot 4 - 20 foot minimum from North.

(5) Lot 5 - 25 foot minimum.

(6) Lot 6 - 25 foot minimum.

(7) Lot 7 - 30 foot minimum from East.
Lot 7 - 20 foot minimum from West.

(8) Lot 8 - 30 foot minimum from East.

In "The Banyan Tree" (2398)

(1) Lots 1 and 2, Block 1 shall provide a minimum setback from the inside lot line of - 15 feet.

(2) Lots 1 and 2, Block 1 shall provide a minimum setback from the side street of - 25 feet.

In "Bay Bluff"

(1) Lots adjacent to Old Cutler Road - 25 feet.

In "Biltmore Section"

(1) Lot 1, Block 3 - 4 feet from Segovia Street.

In "Bruno Estates"

(1) Lots adjacent Old Cutler Road - 25 feet.

In "Caravel Estates" (1867)

(1) Lot 1 - 25 feet from Red Road
9 feet from East lot line.

(2) Lot 2 - 10 feet.

In "Cocoplum Section One" (2079)

(1) All lots fronting upon Casuarina Concourse - 20 feet.

(2) All other lots in Blocks 1 thru 11, inclusive - 15 feet.

(3) All corner lots which have one side abutting a side street shall provide the minimum side set-back from such side street as required lots facing upon such street.

In Cocoplum Section Two, Plat "A" (2329)

(1) All lots shall provide a minimum set-back from the inside lot line of - 20 feet.

In Cocoplum Section Two, Plat "B" (2343)

(1) All lots shall provide a minimum set-back from the inside lot line of - 15 feet.

(2) All corner lots which have one side abutting a side street shall provide a minimum set-back from the side street of - 25 feet.

In Cocoplum Section Two, Plat "C" (2367)

(1) All lots in Blocks 15, 16 and 17 shall provide a minimum set-back from the inside lot line of - 15 feet.

(2) All corner lots which have one side abutting a side street shall provide a minimum set-back from the side street of - 25 feet.

In "Coga Subdivision"

(1) Lot 2, Block 1 - 10 feet.
(2) Lots 2, 4 and 5, Block 2 - 10 feet.
(3) Lots 1, 7, 8 and 15 to 19, inclusive, Block 3 - 10 feet.
(4) Lots 5 to 10, inclusive, Block 4 - 10 feet.
(5) Lot 4, Block 1 - 8 feet.
(6) Lots 2 to 6, inclusive, and 21 to 28, inclusive, Block 3 - 9.5 feet.
(7) Lots 9 to 12, inclusive, Block 3 - 9 feet.
(8) Lot 2, Block 4 - 7.5 feet.
(9) Lots 3 and 4, Block 4 - 6.5 feet.
(10) Lot 1, Block 1 - 10 feet from NE side.
(11) Lot 1, Block 1 - 15 feet from side street.
(12) Lot 3, Block 1 - 8 feet from SW side.
(13) Lot 5, Block 1 - 15 feet from side streeet.
(14) Lot 5, Block 1 - 8 feet from NE side.
(15) Lot 1, Block 2 - 15 feet from side street.
(16) Lot 1, Block 2 - 10 feet from S side.
(17) Lot 3, Block 2 - 25 feet from side street.
(18) Lot 3, Block 2 - 10 feet from N side.
(19) Lot 6, Block 2 - 8 feet from E side.
(20) Lot 7, Block 2 - 10 feet.
(21) Lot 13, Block 3 - 15 feet from N side and 6 feet from S side.
(22) Lot 14, Block 3 - 15 feet from N side.
(23) Lot 14, Block 3 - 10 feet from S side.
(24) Lot 20, Block 3 - 10 feet from N side.
(25) Lot 20, Block 3 - 25 feet from S side.
(26) Lot 29, Block 3 - 15 feet from NW side.
(27) Lot 29, Block 3 - 7.5 feet from E side.
(28) Lot 1, Block 4 - 10 feet from NE side.
(29) Lot 11, Block 4 - 15 feet from NE side.
(30) Lot 11, Block 4 - 10 feet from SW side.

In "Coral Bay Section 'A'" (1819)

(1) Lot 14, Block 2 - 10 feet from each side line.

(2) SUPERSEDED BY ORDINANCE NO. 2021

(3) Lot 17, Block 2 - 10 feet from each side line.

In "Coral Bay Section 'B'"

(1) Lots 1 and 61, Block 4 shall have a minimum side setback from Avenue Lugo of - 25 feet and a minimum side setback from the inside line of - 10 feet.

(2) Lots 1 to 55, inclusive, Block 3 and Lots 2 to 60, inclusive, Block 4 shall have a minimum side setback from each side line of — 10 feet.

In "Coral Bay Section 'C'"

(1) All lots shall have a minimum side setback from each side lot line of — 10 feet except that on corner lots where two streets intersect, in this event the minimum side setback from the side street shall be a minimum of — 25 feet. (For the purpose of determining the side setbacks, the lot lines extending from the street to the waterway shall be deemed side lot lines.)

In "Coral Bay Section 'D'"

(1) In Tract 'A' there shall be required and there shall be provided a minimum of — 25 feet between apartment buildings. All other lots, except Lot 9A, Block 28, shall have a minimum side setback from each side lot line of — 10 feet except that on corner lots where two streets intersect, the minimum side setback from the side street shall be — 25 feet.

(2) Lot 9A, Block 28, shall have a minimum side setback from the inside lot line of — 10 feet and a minimum side setback from the side street of — 15 feet.

In "Country Club Section Part Five"

(1) Lot 20, Block 93 — 10 feet from S line.

In "Fairchild Manors"

(1) Lot 1, Block 1 and Lot 1, Block 3 — 35 feet from side street.

(2) Lot 3, Block 1 — 25 feet from the easterly property line.

(3) Lot 3, Block 3 — 25 feet.

(4) All lots in Block 1, 2 and 3 — 10 feet from inside property line.

(5) Block 4 — 15 feet from side streets.

In Flagler Street Section (East Coral Gables)

(1) All building sites abutting Flagler Street — 35 feet from center line of Flagler Street.

In "French Village" (1737, 1995)

(1) The side set-backs for Lots 1 through 12, inclusive, Block 4, shall conform to the existing side set-backs in the block.

(2) The side set-backs for Lots 11 through 16, inclusive, Block 6 shall conform to the existing side set-backs in the block.

In "Gables Estates No. Two"

(1) Lot 1, Block "A" — 50 feet from Arvida Parkway (side street) and — 30 feet from inside property line.

(2) Lot 5, Block "A" — 50 feet from Casuarina Concourse (side street) and — 30 feet from inside property line.

(3) Lots 2, 3, 4 and 6 to 16, inclusive; Lots 18 to 21, inclusive; Lots 27 to 38, inclusive, All in Block "A", Lots 1 to 6, inclusive; Lots 8 to 15, inclusive; Lots 17 to 22, inclusive; Lots 25 to 53, inclusive; and Lot 56, All in Block "B", and Lot 1, Block "C" — 30 feet.

(4) Lot 2, Block "C" — 50 feet from Leucadendra Drive (side street) and — 30 feet from inside property line.

In "Gables Estates No. Three"

(1) All lots — 30 feet.

(2) Parcel "C" — to be established.

In "Gables Estates No. Four"

(1) Tract "E" — 50 feet from Arvida Parkway.

(2) Lots 1A, 1B, 2, 3, 4 and 7 in Block "G", and all lots in Block "F" — 30 feet.

In "Granada Section"

(1) Lot 3, Block 81 — 12 feet from the south property line.

In "Guma Subdivision." (2021)

(1) Lot 1, Block 1 – 25 feet from Avenue Coruna
– 10 feet from the south lot line

(2) Lot 2, Block 1 – 10 feet

In "Hammock Heights" (1652)

(1) Lot 1, Block 1 – 25 feet from west lot line
(2) Lot 1, Block 1 – 20 feet from east lot line
(3) Lot 2, Block 1 – 10 feet
(4) Lot 3, Block 1 – 10 feet from west lot line
(5) Lot 3, Block 1 – 15 feet from east lot line
(6) Lot 1, Block 2 and Lot 1, Block 3 – 15 feet from west lot line
(7) Lot 1, Block 2 and Lot 1, Block 3 – 10 feet from east lot line
(8) Lot 1, Block 4 – 35 feet from west lot line
(9) Lot 1, Block 4 – 20 feet from east lot line
(10) Lots 2, 3, 4 and 5, Block 4 – 10 feet
(11) Lot 6, Block 4 – 10 feet from west lot line
(12) Lot 6, Block 4 – 15 feet from east lot line

In "Hammock Oaks Harbor"

(1) Lot 1, Block 1 — 30 feet from Old Cutler Road and 10 feet from inside lot line.

(2) Lot 7, Block 1 — 35 feet from Monfero Street and 10 feet from inside lot line.

(3) Lots 15 and 16, Block 1 — 15 feet from Avenue Neda and 10 feet from inside lot line.

(4) Lots 2 to 6, inclusive; Lots 8 to 14, inclusive; and Lots 17 to 31 ,inclusive; All in Block 1 — 10 feet from each side lot line.

In "Hammock Oaks Harbor Section Two"

(1) Lots 1 to 12, inclusive, Block 2 — 10 feet from each side lot line.

(2) Lots 1 to 44 ,inclusive, and Lot 46, All in Block 3 — 10 feet from each side lot line.

(3) Lot 8, Block 3 — 35 feet from Avenue Campana.

(4) Lot 22, Block 3 — 35 feet from Avenue Monfero

(5) Lot 45, Block 3 — 35 feet from Avenue Monfero.

In Hammock Oaks Harbor Section 3 (2227)

(1) Lots 13 to 21 inclusive, Block 2 – 10 feet

(2) Lot 22, Block 2 – 10 feet from inside line
35 feet from side street

(3) Lots 23, 24, 25 and 26, Block 2 – 10 feet

(4) Lot 1, Block 4 – 10 feet from inside line
25 feet from side street

(5) Lot 2, Block 4 – 10 feet

(6) Lots 3 and 4, Block 4 – 10 feet from inside line
35 feet from side street

(7) Lot 5, Block 4 – 10 feet

In H. H. B. Property (2335)

(1) Lot 1, Block 1 – 30 feet from lot line abutting Lot 2 on the south.

(2) Lot 2, Block 1 – 30 feet from lot line abutting Lot 1 on the north.
30 feet from lot lines abutting Lot 3 on the south and east.

(3) Lot 3, Block 1 – 30 feet from lot lines abutting Lot 2 on the north and west.
30 feet from the easterly lot line.

In "Journey's End Estates" (2083)

(1) Lot 1 – 30 feet from inside line
– 50 feet from Old Cutler Road
(2) Lots 2, 3, 4, 6, 7, 9, 10, 14, 16 and 17 – 30 feet
(3) Lot 5 – 30 feet from West
– 75 feet from East
(4) Lot 8 – 30 feet from inside line
– 75 feet from side street
(5) Lot 11 – 30 feet from South
(6) Lot 12 – 30 feet from inside line
– 75 feet from side street
(7) Lot 13 – 30 feet from inside line
– 75 feet from side street
(8) Lot 15 – 30 feet from South
– 30 feet from East
– 50 feet from Old Cutler Road

In "Section 'K'"

(1) Lot 25, Block 27 — 5 feet from Salzedo Street.

In Tract 1, Leyshon Property (2132)

(1) Parcels 1, 2, 3, 4 and 5 – 10 feet

In "Old Cutler Bay Section One"

(1) Lot 2, Block 1 — 25 feet from side street and — 10 feet from inside lot line.
(2) Lots 1, 2 and 12 to 25, inclusive, Block 2 — 10 feet from inside lot line.
(3) Lots 3 to 11, inclusive, Block 2 — 20 feet from inside lot line.
(4) Lots 13, 14, 17, 18 and 20, Block 2 — 25 feet from side street, except that a 15-foot minimum setback shall be required for that portion of the side lot line formed by the arc of the cul-de-sac.
(5) All lots in Block 3 — 10 feet from inside lot line.
(6) Lots 3 and 4, Block 3 — 25 feet from side street.

In "Old Cutler Bay Section Two" (1513)

(1) Lot 1 — 25 foot minimum from side street.
(2) Lots 3 to 20, inclusive — 10 foot minimum.

In "Old Cutler Bay Section Three" (1545)

(1) Lots 4 to 16, inclusive – 10 foot minimum
(2) Lot 17 – 25 foot minimum from side street; 10 foot minimum from inside line

In "Old Cutler Bay Section Four" (1598)

(1) Lots 26 to 31, inclusive, Block 2 – 10 foot minimum
(2) Lots 74 to 83, inclusive, Block 2 – 10 foot minimum
(3) Lots 32 to 41, inclusive, Block 2 – 20 foot minimum
(4) Lots 18 and 19, Block 3 – 10 foot minimum

In "Old Cutler Bay Section Four 'A'" (1641)

(1) Lot 84, Block 2 – 10 foot minimum from east property line
(2) Lots 20 to 30, inclusive, Block 3 – 10 foot minimum
(3) Lot 31, Block 3 – 10 foot minimum from east property line

In "Old Cutler Bay Section Five" (1695)

(1) Lots 42, 43 and 44, Block 2 — 20 foot minimum
(2) Lots 45 to 73, inclusive, Block 2 — 10 foot minimum

In Pino Subdivision (2081)

(1) Lot 1, Block 1 — 25 feet
(2) Lots 2 and 3, Block 1 — 10 feet

In "Riviera Circle"

(1) Lots 1 and 10, Block 1 and Lot 1, Block 2 — 20 feet from Riviera Court, and — 15 feet from any other side line.
(2) Lots 2 to 9, inclusive, Block 1 and Lots 2 and 3, Block 2 — 10 feet on each side.
(3) Lot 4, Block 2 — 10 feet from inside lot line, and 15 feet from Riviera Court.

In "Riviera Section Part Two"

(1) Lot 1, Block 96 — 10 feet from South line, provided, however, that no side setback shall be required along the South line of the East 90 feet thereof.
(2) Lot 2, Block 96 — 25 feet from Avenue Rosaro.
(3) Lot 4, Block 96 — 15 feet from Avenue Menendez.
(4) The side set-backs for Lots 1 through 14, inclusive, Block 100 shall conform to the existing side set-backs in the block. (1995)

In "Riviera Section Part Nine"

(1) The side set-backs for Lots 1 through 20, inclusive, Block 145 shall conform to the existing side set-backs in the block. (1995)

In "Riviera Section Part Eleven"

(1) The side set-backs for Lots 1, 2, 3 and 4, Block 267 shall conform to the existing side set-backs in the block. (1995)

In "Riviera Section Part Twelve"

(1) The side set-backs for Lots 1 through 9, inclusive, Block 244 shall conform to the existing side set-backs in said Lots 1 through 9. (1995)

In "Singer Subdivision No. Two"

(1) Lot 1, Block 1 — 8.5 feet from S side.
(2) Lot 2, Block 1 — 8.5 feet.
(3) Lot 3, Block 1 — 9.5 feet.
(4) Lots 4 and 5, Block 1 — 15 feet from side street; 10 feet from inside lot line.
(5) Lots 6 and 7, Block 1 — 10 feet.
(6) Lot 8, Block 1 — 25 feet from side street; 10 feet from inside lot line.
(7) Tract 'A' — 10 feet from NE line.
(8) Tract 'B' — 10 feet from inside lot line.

In Sunset Bay Estates (2333)

(1) Lots 1, 2, 3 and 4, Block 1 . . . . . 10 feet

SECTION 6.13 MINIMUM REAR SETBACKS, SPECIFIC LOCATIONS. The following minimum rear setback requirements hereby are established for all building sites specifically designated or described herein. Unless otherwise specified, setback distances herein are to be measured from rear lot line of the site. Such requirements shall prevail and govern over general minimum rear setback requirements established in the several Use Districts.

In "Avocado Land Company Subdivision, Tract 7" (1571)

(1) Bernal Street – 275 foot minimum except for the South 150 feet, which shall be 475 foot minimum, for a private school

In Baker Homestead (1486)

(1) Lot 1 — 20 foot minimum.
(2) Lot 2 — 55 foot minimum.

(3) Lot 3 - 6 foot minimum.
(4) Lot 4 - 25 foot minimum.
(5) Lot 5 - 25 foot minimum.
(6) Lot 6 - 50 foot minimum.
(7) Lot 7 - 20 foot minimum.
(8) Lot 8 - 20 foot minimum from North.

In "The Banyan Tree" (2398)

(1) Lots 1 and 2, Block 1 - 15 feet.

In "Caravel Estates" (1867)

(1) Lots 1 and 2 - 10 feet.

In "Coconut Grove Warehouse Center"

(1) On lots 31 to 57, inclusive - 15 feet from Industrial Avenue.

In Cocoplum Section One (2079)

(1) All lots which have a rear lot line abutting upon a street which other lots face shall provide the minimum rear set-back required for lots facing upon such street.

(2) All other lots in Blocks 1 thru 11, inclusive - 25 feet.

In Cocoplum Section Two, Plat "B" (2343)

(1) All lots not abutting upon a waterway or canal in the rear - 15 feet.

In Cocoplum Section Two, Plat "C" (2367)

(1) All lots in Blocks 15 and 17 - 15 feet.

(2) All lots in Blocks not abutting upon a waterway or canal in the rear - 15 feet.

In "Coga Subdivision"

(1) Lots 1 to 5, inclusive, Block 1 - 6 feet.
(2) Lots 1, 2, 4 and 5, Block 2 - 6 feet.
(3) Lots 1 to 28, inclusive, Block 3 - 6 feet.
(4) Lot 3, Block 2 - 8 feet.
(5) Lot 6, Block 2 - 15 feet from Avenue Mariposa.
(6) Lot 7, Block 2 - 10 feet.
(7) Lot 29, Block 3 - 15 feet from Avenue Mariposa.
(8) Lots 1 to 11, inclusive, Block 4 - 5 feet.

In "Coral Bay Section 'A'" (1819)

(1) SUPERSEDED BY ORDINANCE NO. 2021

In "Country Club Section Part One"

(1) Lots 8 and 9, Block 10 - 15 feet from the West lot line.

In "Fairchild Manors"

(1) All lots in Blocks 1, 2 and 3 - 10 feet. (NOTE: For the purpose of determining the 10 foot rear setback, the West line of Lot 2, Block 1 and of Lot 2, Block 3, shall be considered as the rear lot line of Lot 1, Block 1 and Lot 1, Block 3, respectively).

(2) Block 4 - 25 feet from rear street.

In "French Village" (1737, 1995)

(1) The rear set-back for Lots 1 through 12, inclusive, Block 4 shall conform to the existing rear set-backs in the block.
(2) The rear set-back for Lots 11 through 16, inclusive, Block 6 shall conform to the existing rear set-backs in the block.

In "Gables Estates No. Two"

(1) Lot 5, Block 'A' - 30 feet from E property line.
(2) Lot 56, Block 'B' - 30 feet.

In "Gables Estates No. Four"

(1) Lots 4 and 7, Block 'G' - 50 feet.

In "Guma Subdivision" (2021)

(1) Lot 1, Block 1 - 10 feet.

In "Hammock Heights" (1652)

(1) Lots 1, 2 and 3, Block 1 - 10 feet.
(2) Lot 1, Block 2 - 10 feet.
(3) Lot 1, Block 3 - 10 feet.
(4) Lots 1, 2, 3, 4, 5 and 6, Block 4 - 10 feet.

In "Hammock Oaks Harbor"

(1) A minimum rear setback of ten feet shall be maintained and required on all lots.

In "Hammock Oaks Harbor Section Two"

(1) Lots 1 to 12, inclusive, Block 2 - 10 feet.
(2) Lot 45, Block 3 - 25 feet.

In "Hammock Oaks Harbor Section 3" (2227)

(1) Lots 13 to 18, inclusive, Block 2 - 10 feet.
(2) Lot 22, Block 2 - 10 feet.
(3) Lot 1, Block 4 - 35 feet.
(4) Lots 2, 3, 4 and 5, Block 4 - 10 feet.

In "Journey's End Estates" (2083)

(1) Lots 1, 2, 3 and 4 - 50 feet.
(2) Lot 5 - 60 feet from South.
(3) Lots 13 and 14 - 50 feet from Old Cutler Road.
(4) Lot 15 - 30 feet from North.

In Tract 1, Leyshon Property (2132)

(1) Parcels 1, 2, 3, 4 and 5 - 15 feet.

In "Old Cutler Bay Section One"

(1) All lots in Block 1, 2 and 3 - 10 feet.

In "Old Cutler Bay Section Two" (1513)

(1) Lot 1 - 10 feet.

In "Old Cutler Bay Section Three" (1545)

(1) Lot 17 - 10 foot minimum.

In "Old Cutler Bay Section Four 'A'" (1641)

(1) Lot 84, Block 2 - 25 foot minimum from Marquesa Drive.

In "Pino Subdivision" (2081)

(1) Lots 1, 2 and 3, Block 1 - 10 feet.

In "Riviera Circle"

(1) Lots 1 and 10, Block 1 and Lot 1, Block 2 - 10 feet.
(2) Lots 2, 3, 4, 7, 8 and 9, Block 1 - 15 feet.
(3) Lots 5 and 6, Block 1 - 5 feet.
(4) Lots 2, 3 and 4, Block 2 - 20 feet from Riviera Court.

In "Riviera Section Part Two"

(1) Lot 2, Block 96 - 10 feet from the rear (West property line).
(2) The rear set-back for Lots 1 through 14, inclusive, Block 100 shall conform to the existing rear set-backs in the block. (1995)

In "Riviera Section Part Eight"

(1) Tract 'A' - 50 feet (P.B. 46, Page 100).

In "Riviera Section Part Nine"

(1) The rear set-backs for Lots 1 through 20, inclusive, Block 145 shall conform to the existing rear set-backs in the block. (1995)

In "Riviera Section Part Eleven"

(1) The rear set-backs for Lots 1, 2, 3 and 4, Block 267 shall conform to the existing rear set-backs in the block. (1995)

In "Riviera Section Part Twelve"

(1) The rear set-backs for Lots 1 through 9, inclusive, Block 244 shall conform to the existing rear set-backs in said Lots 1 through 9. (1995).

In "Riviera Section Part Fourteen"

(1) Lots 11 to 16, inclusive, Block 203 - 10 feet.
(2) Lots 17 to 26, inclusive, Block 203 - 10 feet.

In "Singer Subdivision No. Two"

(1) Lots 1 to 8, inclusive, Block 1 - 6 feet.
(2) Tract 'A' - 5 feet from NW lot line.
(3) Tract 'B' - 10 feet from S line.

In "Sunset Bay Estates" (2333)

(1) Lots 1, 2, 3 and 4, Block 1 - 10 feet.

In "Welbon Subdivision"

(1) Lots 1 and 30 - 10 feet from the S lot line.

SECTION 6.14 SETBACK REQUIREMENTS FOR BUILDINGS FOUR (4) OR MORE STORIES IN HEIGHT.

(1) "A" Use Districts - General, special Uses in "A" Use Districts, University of Miami Dormitories and apartments, apartment-hotels and hotels in "C" Use Districts. (1994, 2171)

(a) **Front Setback**
1. Twenty-five (25) feet minimum.

(b) **Side Setback from Inside Property Line.**
1. Ten (10) feet minimum, plus one (1) additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet.

(c) **Side Setback from Side Street.**
1. Fifteen (15) feet minimum, plus one (1) additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet.

(d) **Rear Setback.**
1. Ten (10) feet minimum, plus one (1) additional foot setback for the entire building for each three (3) feet of the building height above forty-five (45) feet where an alley is located at the rear of the site, or twenty (20 feet plus one (1) additional foot setback for the entire building for each three (3) feet of the building height above forty-five (45) feet where there is no alley at the rear of the site.

(e) **Balconies.**
1. Cantilevered open balconies having a height of not less than fifteen (15) feet above finished grade may project into the required setback areas a maximum of six (6) feet.

(f) **Parking Structures and Accessory Decks.**
No setbacks shall be required for parking structures and accessory decks which are constructed completely below established grade.

Parking structures and accessory decks which have a height of not more than three (3) feet six (6) inches above established grade shall provide and maintain the following minimum setbacks:

1. Front setback - 20 feet minimum
2. Side setback - 10 feet minimum
3. Side street setback - 10 feet minimum
4. Rear setback - 20 feet minimum

Parking structures and accessory decks which have a height of more than three (3) feet six (6) inches above established grade shall provide and maintain the same setbacks as required for the principal building.

(g) **Uncovered Parking.**
Uncovered parking shall maintain minimum setbacks of fifteen (15) feet on interior side yards and twenty (20) feet from the front and side street yards, except directly in front of the structure entrance, said uncovered parking shall be screened from pedestrian street view by a minimum four (4) foot high wall at parking level and landscaping treatment. There shall be a minimum two and one-half (2-1/2) foot landscaped rear setback.

(2) "CA", "CB", "CC" or "M" Use Districts - General, Special Uses in "CA", "CB", "CC" or "M" Use Districts and University of Miami Buildings other than dormitories. (2171)

(a) **Front Setback.**
1. Fifteen (15) feet shall be provided for first twenty-five (25) feet of building height plus one (1) additional foot for each twenty-five (25) feet of building height over twenty-five (25) feet.

(b) **Side Setback.**
1. Interior Side.
   a. No interior side yard setback shall be required for buildings not exceeding thirty-five (35) feet in height.
   b. That portion of the building exceeding thirty-five (35) feet in height shall provide a ten (10) foot minimum interior side setback plus one (1) foot for each twenty-five (25) feet of building height over thirty-five (35) feet.

2. Side Street.
   a. Minimum side setback of fifteen (15) feet shall be provided for the first twenty-five (25) feet of building height plus one (1) foot for each twenty-five (25) feet of building height over twenty-five (25) feet.

(c) **Rear Setback.**
1. Where there is a dedicated alley in the rear, all buildings shall be setback five (5) feet up to the first fourteen (14) feet in height. For that portion of buildings above fourteen (14) feet in height, there shall be no setback requirements from the rear property line.
2. Where there is no dedicated alley in the rear a ten (10) foot minimum rear setback shall be provided.
3. Parking garages shall be required to provide the same minimum setbacks as required for the main building provided, however, that no setback shall be required for that portion of a parking garage which is located completely below grade. (2171)

SECTION 6.15 SETBACK REQUIREMENTS FOR APARTMENTS, APARTMENT-HOTELS AND HOTELS IN "C" USE DISTRICTS. Apartments, Apartment-Hotels and Hotels located in "C" Use Districts shall provide the same minimum setbacks as required for "A" Use Districts as set forth in Section 6.07 and Section 6.14. (1994, 2171)

7. FACING OF LOTS AND BUILDINGS

SECTION 7.01 GENERAL. Except for specific deviations or exceptions prescribed herein, every lot shall be deemed to face the street upon which it abuts; if a lot abuts upon more than one street it shall be deemed to face the street upon which it has the shortest street line; and any building shall face the front of the lot, and be subject to the restrictions governing buildings on such street on which it is deemed to face. Whenever a lot is so shaped or situated that its facing may be uncertain, or the specific restrictions herein provided may be ambiguous when applied hereto, the Board of Adjustment shall determine the facing of the lot. (1908, 2300)

SECTION 7.02 FACING IN SPECIFIC CASES.

On Certain Streets. Except as provided to the contrary in the following subsections hereof, all lots at a corner on:
1. Alhambra Circle and South Alhambra Circle
2. Country Club Prado
3. DeSoto Boulevard.
4. Indian Mound Trail except in Block 20, Section "D"
5. Maynada Street
6. Ponce de Leon Boulevard
7. East Ponce de Leon Boulevard

shall be deemed to face on said Circle, Boulevard, Trail, Prado and Street, as the case may be.

On Ponce de Leon Boulevard. All lots in the one hundred foot (100') strip on either side of Ponce de Leon Boulevard shall be governed by restrictions for lots facing that boulevard.

On Red Road. All lots abutting upon Red Road, from Coral Way to S.W. 8th Street, shall be deemed to face both Red Road and Country Club Prado, and residences erected upon such lots may face either of such streets.

In "Baker Homestead" (1486)

(1) Lot 1 shall be deemed to face North
(2) Lot 2 shall be deemed to face East
(3) Lot 3 shall be deemed to face North
(4) Lot 4 shall be deemed to face West
(5) Lot 5 shall be deemed to face South
(6) Lot 6 shall be deemed to face North
(7) Lot 7 shall be deemed to face North
(8) Lot 8 shall be deemed to face West or South

In "Bay Bluff"

Lots 1 and 2, Block 1, shall be deemed to face North on Davis Road and Lots 3, 4, 5, Block 1 and Lots 1, 2, 3, 4, Block 2 shall be deemed to face on Calatrava.

In "The Banyan Tree" (2398)

(1) Lots 1 and 2, Block 1, shall be deemed to face Old Cutler Road.

In "Bruno Estates"

Lots 4 and 5 shall be deemed to face South.
Lots 1, 2, 3, 6 and 7 shall be deemed to face North.

In "Caravel Estates" (1867)

(1) Lot 1 shall be deemed to face Avenue Lugo.

In "Coconut Grove Section"
Lots 51 to 55, inclusive, Block 30 shall be deemed to face Bird Road.

In "Coconut Grove Warehouse Center"
Lots 58 to 71, inclusive, "Coconut Grove Warehouse Center" shall be deemed to face upon both Industrial Avenue and Short Avenue.

In Cocoplum Section One. (2079)

(1) Lot 21, Block 1, shall be deemed to face Caguarina Concourse.
(2) Lots 1 and 11, Block 1, shall be deemed to face Los Pinos Boulevard.
(3) Lot 8, Block 7, shall be deemed to face Los Pinos Boulevard.
(4) Lot 1, Block 9, shall be deemed to face Los Pinos Boulevard.
(5) Lots 1 and 2, Block 2, shall be deemed to face Ridge Road and Old Cutler Road.
(6) Lot 2, Block 3, shall be deemed to face Davis Road
(7) Lot 3, Block 3, shall be deemed to face Avenue Puerta
(8) Lot 11, Block 5, shall be deemed to face Avenue Santurce
(9) Lots 1, 2 and 3, Block 5, shall be deemed to face Robles Street and Old Cutler Road.
(10) Lot 43, Block 5, shall be deemed to face Robles Street
(11) Lot 8, Block 8, shall be deemed to face Robles Street
(12) Lots 17 and 25, Block 5, shall be deemed to face Monaco Street
(13) Lots 1 and 7, Block 7, shall be deemed to face Monaco Street
(14) Lot 5, Block 6, shall be deemed to face Los Pinos Court
(15) Lot 11, Block 9, shall be deemed to face Los Pinos Court
(16) Lot 1, Block 6, shall be deemed to face Los Pinos Place
(17) Lots 11 and 16, Block 8, shall be deemed to face Vistalmar Street
(18) Lot 19, Block 9, shall be deemed to face Los Pinos Circle
(19) Lot 1, Block 8, shall be deemed to face Cocoplum Road (Res. No. 21459)
(20) Lot 4, Block 10, shall be deemed to face Cocoplum Road (Res. No. 21459)
(21) Lot 1, Block 11, shall be deemed to face Cocoplum Road (Res. No. 21459)

In Cocoplum Section Two, Plat "B" (2343)

(1) Lots 1, 36 and 39, Block 13 and Lots 4 and 22, Block 14, shall be deemed to face Mira Flores Avenue.
(2) Lots 4,10 and 11, Block 13, shall be deemed to face Lago Drive East.
(3) Lots 31 and 32, Block 13, shall be deemed to face Lago Drive West.
(4) Lot 6, Block 13, shall be deemed to face southwest on Lago Drive East.
(5) Lot 35, Block 13, shall be deemed to face northwest on Lago Drive West.
(6) Lots 1 and 3, Block 14, shall be deemed to face Vera Court.
(7) Lots 14, 17, 18 and 20, Block 14, shall be deemed to face Tulipan Court.

In Cocoplum Section Two, Plat "C" (2367)

(1) Lot 1, Block 15, Lots 29, 36, 39 and 40, Block 16 and Lot 12, Block 17, shall be deemed to face Isla Dorada Boulevard.
(2) Lots 1 and 52, Block 16 and Lots 5 and 19, Block 17 shall be deemed to face Costanera Road.
(3) Lot 28, Block 16, shall be deemed to face west on Costanera Road.
(4) Lot 1, Block 17, shall be deemed to face east on Costanera Road.
(5) Lot 13, Block 17, shall be deemed to face Costa Brava Court.

In "Coga Subdivision"

(1) Lot 1, Block 1 shall be deemed to face Avenue Madruga.
(2) Lot 3, Block 1 shall be deemed to face both Avenue Mariposa and Turin Street.
(3) Lot 5, Block 1 shall be deemed to face Avenue Mariposa.
(4) Lot 11, Block 4 shall be deemed to face Avenue Mariposa.
(5) Lots 1 and 3, Block 2 shall be deemed to face Turin Street.
(6) Lot 13, Block 3 shall be deemed to face Turin Street.
(7) Lot 6, Block 2 shall be deemed to face Avenue Cotorro.
(8) Lots 14 and 20, Block 3 shall be deemed to face Maynada Street.
(9) Lot 29, Block 3 shall be deemed to face Hardee Road.
(10) Lot 1, Block 4 shall be deemed to face Avenue Mariposa.

In "Coral Bay Section 'A'"

(1) Lot 2, Block 1 shall be deemed to face West.
(2) Lot 8, Block 1 shall be deemed to face East.
(3) REPEALED BY ORDINANCE NO. 1867.
(4) SUPERSEDED BY ORDINANCE NO. 2021
(5) Lot 40, Block 2 shall be deemed to face North.
(6) Lot 53, Block 2 shall be deemed to face North.
(7) Lot 69, Block 2 shall be deemed to face West.
(8) Lot 73, Block 2 shall be deemed to face West.
(9) Lot 77, Block 2 shall be deemed to face North.

In "Coral Bay Section 'B'"

(1) Lots 1 and 61, Block 4 shall be deemed to face Avenue San Pedro.

In "Coral Bay Section 'C'"

(1) Lot 16, Block 5; Lot 1, Block 6; Lot 18, Block 6; Lot 1, Block 7; Lot 18, Block 7; Lot 20, Block 7 shall face on Red Road.
(2) Lot 5, Block 8 shall face East.
(3) Lot 22, Block 8 and Lots 2 and 17, Block 9 shall face South.

In "Coral Bay Section 'D'"

(1) Lot 12, Block 16; Lots 1 and 18, Block 17; Lots 1 and 22, Block 18; Lots 1 and 21, Block 19; Lots 1 and 18; Block 20; Lot 16, Block 21; Lots 1 and 16, Block 22; Lots 1 and 16, Block 23; Lots 1 and 16, Block 24; Lot 1, Block 25 shall face North.
(2) Lot 2, Block 10; Lot 1, Block 21; Lot 2, Block 30; Lots 25 and 27, Block 15 shall face East.
(3) Lot 15, Block 10; Lot 2, Block 11; Lots 2 and 15, Block 12; Lots 2 and 15, Block 13; Lots 2 and 15, Block 14; Lots 13 and 15, Block 15 shall face South.
(4) Lot 15, Block 11; Lot 5, Block 15; Lot 2, Block 16; Lot 1, Block 26; Lot 47, Block 28; Lot 1A, Block 31 shall face West.

In "Section 'D'"

Lots in the South one hundred fifty (150) feet of Blocks 10, 13 and 14, Section 'D', shall be governed by restrictions for other lots facing on Avenue Sevilla, West of San Domingo Street. Lots 3 to 8, inclusive, Block 20, Section 'D', shall be deemed to face on San Domingo Street.

In "F. H. Dunbar Tract"

(1) Lot 8, "F. H. Dunbar Tract", shall be deemed to face Old Cutler Road.

In "Section 'E'"

(1) Lot 15, Block 23, Section 'E', shall be deemed to face Country Club Prado.

In "Erin Subdivision"

(1) Lot 4, "Erin Subdivision", shall be deemed to face Old Cutler Road.

In "Fairchild Manors"

(1) Lot 1, Block 1; Lot 1, Block 3 and Block 4 shall be deemed to face West.
(2) Lot 3, Block 1 shall be deemed to face South.
(3) Lot 3, Block 3 shall be deemed to face Sierra Circle.

In "Flagler Street Section"

(1) Lots in Block 7, "Flagler Street Section", shall be deemed to face Ponce de Leon Boulevard.

In "French Village" (1737)

(1) The facings of residences constructed on Lots 1, 2, 3, 6 and 7, Block 4, shall conform to the facings of the other buildings in said Block 4.

In "Gables Estates No. Four"

(1) Tract 'E' and Lots 1A, 1B, 2 and 3, Block 'G' shall be deemed to face both Old Cutler Road and Arvida Drive.

In "Granada Section"

(1) All lots in Block 36, "Granada Section", shall be deemed to face Avenue Venetia.
(2) Lot 7, Block 1F, "Granada Section" shall be deemed to face Granada Boulevard.

In "Hammock Heights" (1652)

(1) Lot 3, Block 1 shall be deemed to face South
(2) Lot 1, Block 2 shall be deemed to face South
(3) Lot 1, Block 3 shall be deemed to face North
(4) Lots 1 and 6, Block 4 shall be deemed to face North

In "Hammock Oaks Harbor"

(1) Lots 1 and 7, Block 1 shall be deemed to face North.
(2) Lot 15, Block 1 shall be deemed to face East.
(3) Lot 16, Block 1 shall be deemed to face West.

In "Hammock Oaks Harbor Section Two"

(1) Lot 8, Block 3 shall be deemed to face East.
(2) Lot 22, Block 3 shall be deemed to face South.
(3) Lot 45, Block 3 shall be deemed to face North.

In Hammock Oaks Harbor Section 3 (2227)

(1) Lot 22, Block 2 shall be deemed to face north.
(2) Lot 1, Block 4 shall be deemed to face west.
(3) Lot 3, Block 4 shall be deemed to face east.
(4) Lot 4, Block 4 shall be deemed to face west.

In H. H. B. Property (2335)

(1) Lot 1, Block 1, shall be deemed to face both Arvida Parkway on the north and Arvida Parkway on the southeast.

In "Journey's End Estates" (2083)

(1) Lot 1 shall be deemed to face North
(2) Lot 5 shall be deemed to face North
(3) Lot 8 shall be deemed to face West
(4) Lot 12 shall be deemed to face West
(5) Lots 13 and 14 shall be deemed to face East
(6) Lot 15 shall be deemed to face South

In Tract 1, Leyshon Property (2132)

(1) Parcel 1 shall be deemed to face Old Cutler Road
(2) Parcels 2 & 5 shall be deemed to face East.
(3) Parcels 3 & 4 shall be deemed to face West.

In "Old Cutler Bay Section One"

(1) Lot 2, Block 1, shall be deemed to face North. (1513)
(2) Lots 13, 14, 17, 18 and 20, Block 2 shall be deemed to face North.
(3) Lot 21, Block 2 shall be deemed to face Westerly.
(4) Lot 3, Block 3, shall be deemed to face Easterly. (1545)

In "Old Cutler Bay Section Two" (1513)

(1) Lot 1 shall be deemed to face North.

In "Old Cutler Bay Section Three" (1545)

(1) Lot 17 – shall be deemed to face Solano Prado

In "Old Cutler Bay Section Four 'A'" (1641)

Lot 84, Block 2 – shall be deemed to face Solano Prado and Marquesa Drive

In Pino Subdivision (2081)

(1) Lot 1, Block 1, shall be deemed to face Old Cutler Road.

In "Riviera Circle"

(1) Lots 1 and 10, Block 1 and Lot 1, Block 2 shall be deemed to face Riviera Drive.
(2) Lots 5 and 6, Block 1 shall be deemed to face West.
(3) Lots 2, 3 and 4, Block 2 shall be deemed to face North.

In "Riviera Section Part Two"

(1) Lots 1 and 2, Block 96 shall be deemed to face East on LeJeune Road.
(2) Lots 3 and 4, Block 96 shall be deemed to face South on Avenue Rosaro.
(3) Lots 1 and 19, Block 104 shall be deemed to face Riviera Drive.
(4) Lots 1 and 2, Block 37 shall be deemed to face Riviera Drive.
(5) Lots 36 to 40, inclusive, Block 37 shall be deemed to face Riviera Drive.

In "Riviera Section Part Three"

(1) Lots 10 and 11, Block 48 shall be deemed to face Orduna Drive.
(2) Lots 12 to 15, inclusive, Block 48 shall be deemed to face Orduna Drive.
(3) Lot 26, Block 85 shall be deemed to face Avenue Pisano.
(4) Lots 1 and 2, Block 88 shall be deemed to face Granada Boulevard.

In "Riviera Section Part Fourteen"

(1) Lots 15 and 16, Block 203, shall be deemed to face Avenue Venera.
(2) Lots 17 and 18, Block 203 shall be deemed to face Avenue San Remo.

In "San Juan Estates"

(1) Lot 6, "San Juan Estates" shall be deemed to face Old Cutler Road.

In "Singer Subdivision No. Two"

(1) Lot 1, Block 1 shall be deemed to face Avenue Madruga and Turin Street.

(2) Lot 4, Block 1 shall be deemed to face Turin Street.
(3) Lots 5 and 8, Block 1 shall be deemed to face Maynada Street.
(4) Tracts 'A' and 'B' shall be deemed to face Avenue Madruga and Turin Street.

In "Sunrise Harbour"

(1) Lot 9, Block 2 and Lots 1 and 20, Block 1 shall be deemed to face South.
(2) Lot 102, Block 2 shall be deemed to face West.

In "Welbon Subdivision"

(1) Lots 1 and 30 shall be deemed to face Southwest Eighth Street.

8. BUILDING SITE REGULATIONS

SECTION 8.01 BUILDING SITES - GENERAL REGULATIONS. Every building or structure hereafter erected, constructed, reconstructed or structurally altered shall be located on a building site as herein defined, and in no case shall there be more than one building or structure on a building site, except as may be provided for herein concerning permitted accessory or subordinate buildings for auxiliary or accessory uses. No building site shall be so reduced or diminished that the yards or other open spaces hereby required shall be smaller than prescribed by this code, nor shall the density of populations be increased in any manner except in conformity with the building and building site area regulations herein established.

SECTION 8.02 BUILDING SITES- R, D AND A USES, GENERAL. (2058, 2262, 2300, 2390)

(1) Except as may be provided hereinafter to the contrary, in connection with replats, subdivisions and specifically described lots or parcels of land, all buildings or structures designed for an "R", "D" and "A" Use shall be constructed or erected upon a building site containing at least one (1) platted lot, and such building site shall have a street frontage of not less than fifty (50) feet.

Only one (1) single family residence, duplex or apartment building shall be constructed or erected upon any one platted lot having not less than the minimum street frontage required by this code.

Wherever there may exist a single family residence, duplex building or any auxiliary building or structure including, but not limited to, swimming pools, tennis courts, walls, fences or any other improvement which was heretofore constructed on property containing one or more platted lots or portions thereof, said property shall not hereafter be reduced or diminished in any manner and if said single family residence or duplex building is demolished or removed therefrom whether voluntarily or involuntarily or by destruction or disaster, no permit shall be issued for the construction of more than one such building on such property.

Any change from the foregoing provisions shall require special approval by ordinance duly passed and adopted by the City Commission after first having been heard before the Planning and Zoning Board at a public hearing, at which all interested persons shall be afforded an opportunity to be heard.

(2) Except as provided for under Section 8.11 hereof, no replat or subdivision for "R", "D" and "A" Uses shall be approved where the building sites contain an area less than 10,800 square feet and having a street frontage of less than 100 feet.

(3) All lands which have been platted, replatted or subdivided into building sites which are greater in frontage, depth and/or area than the required minimum shall not henceforth be divided or resubdivided unless all portions of said lots are used to increase the size of the adjacent lots as platted or to create a lot or lots as large in frontage, depth and area as the platted lots without leaving a lot or parcel smaller in any dimension than such average lots.

SECTION 8.03 BUILDING SITES - R, D AND A USES AT DESIGNATED LOCATIONS. The following regulations governing building sites shall apply in connection with any building or structure erected, constructed or designed for R, D or A Use at or upon the specific locations and properties within the City as herein described.

In "Section 'A'"

No building site in Section "A" facing upon Anderson Road, DeSoto Boulevard, Granada Boulevard, Coral Way or Plaza Columbus, shall contain less than two platted lots, where such lots are less than 55 feet in width.

In "Section 'B'"

No building site in Section "B" facing upon Granada Boulevard, North Greenway Drive, South Greenway Drive, Coral Way or LeJeune Road shall contain less than two platted lots where such lots are less than 55 feet in width.

In "Section 'C'"

No building site in Section "C" facing upon Alhambra Circle, Granada Boulevard, Columbus Boulevard, Coral Way, North Greenway Drive and South Greenway Drive East of Alhambra Circle, shall contain less than two platted lots where such lots are less than 55 feet in width.

In "Section 'D'"

No building site in Section "D" facing upon Avenue Sevilla between San Domingo Street and Red Road, or upon Alhambra Circle, Coral Way and Indian Mound Trail, shall contain less than two platted lots, where such lots are less than 55 feet in width' and no building site in Section "D" facing upon Country Club Prado shall have less than 75 feet street frontage.

In "Section 'E'"

No building site in Section "E" facing upon South Greenway Drive, Columbus Boulevard South of South Greenway Drive, or upon North Greenway Drive, Coral Way or Plaza Columbus, shall contain less than two platted lots, where such lots are less than 55 feet in width; and no building site in Section "E" facing upon Country Club Prado shall

have less than 75 feet street frontage. (2403)

In "Biltmore Section"

No building site in "Biltmore Section" facing upon Avenue Anastasia or Coral Way shall contain less than two platted lots, where such lots are less than 60 feet in width.

In "Biscayne Bay Section"

(1) Lots 1 to 8, inclusive, and Lot 5A, Block 82, "Biscayne Bay Section", shall be restricted to two (2) building sites having a street frontage of one hundred twelve and one-half (112.5) feet each.

(2) Lots 1, 2, 3 and 4, less the East thirty-eight feet (38') thereof, Block 94, "Biscayne Bay Section Plat "A", shall be considered as two (2) building sites only, one such site consisting of Lot 1 and the West twenty-seven feet (27') of Lot 2, and the other building site consisting of Lot 2, less the West twenty-seven feet (27') thereof, all of Lots 3 and Lot 4, less the East thirty-eight feet (38') thereof.

(3) Lots 9 and the East eighteen feet (18') of Lot 10, Block 94, "Biscayne Bay Section" shall be considered as one building site having a street frontage of eighty-eight feet (88').

(4) No building site in or upon the following properties in "Biscayne Bay Section" shall contain less than ten thousand eight hundred (10,800) square feet area nor shall any such building site have less than one hundred foot (100') street frontage:

(a) Lots 18 to 21, inclusive, Block 82, and vacated alley therein.

(b) South one-half of Tract 83.

(c) Lots 17 to 32, inclusive, Block 84, and vacated alley therein.

(d) Lots 9 to 16, inclusive, Block 85.

(e) All of Block 89.

(f) All of Block 90, and vacated alley therein.

(g) Lots 1 to 18, inclusive, and Lots 28 to 42, inclusive, Block 91, and vacated alley therein.

(h) All of "Wheeler's Resubdivision" of Block 92.

(i) All of Block 93 and vacated alley therein.

(j) The West twelve feet (12') of Lot 13 and Lots 14 to 16, inclusive, Block 94.

In "Coconut Grove Section"

With the exception of Lot 30, Block 6; Lot 18, Block 7; Lot 17, Block 10; Lot 32, Block 11; Lot 12, Block 25; and Lot 19, Block 29; no building site in "Coconut Grove Section" shall contain less than two (2) platted lots.

In "Country Club Section Part One"

No building site in "Country Club Section Part One", facing upon Alhambra Circle, Columbus Boulevard, Granada Boulevard, Avenue Sevilla West of Alhambra Circle or abutting upon a golf course, shall contain less than two (2) platted lots.

In "Country Club Section Part Two"

No building site in "Country Club Section Part Two", facing upon Avenue Anastasia, Anderson Road or Granada Boulevard shall contain less than two (2) platted lots, where such lots are less than fifty-five feet (55') in width.

In "Country Club Section Part Three"

No building site in "Country Club Section Part Three" facing upon University Drive or Granada Boulevard shall contain less than two (2) platted lots, where such lots are less than fifty-nine feet (59') in width; no building site elsewhere in "Country Club Section Part Three" shall contain less than two (2) platted lots where such lots are less than fifty feet (50') in width.

In "Country Club Section Part Four"

No building site in "Country Club Section Part Four", abutting a golf course shall contain less than two (2) platted lots, and no building site elsewhere in "Country Club Section Part Four" shall contain less than two (2) platted lots where such lots are less than fifty feet (50') in width.

In "Country Club Section Part Five"

Lot 15 less the west ten (10) feet of the north twenty (20) feet thereof, Lot 16, less the north twenty (20) feet and all of Lot 17, Block 112, Country Club Section Part 5 shall be considered as two (2) separate building sites as follows: (2323)

(a) One building site to consist of Lot 15 less the west ten (10) feet of the north twenty (20) feet thereof and the east one-half (1/2) of Lot 16, less the north twenty (20) feet therof; and

(b) One building site to consist of Lot 17 and the west one-half (1/2) of Lot 16 less the north twenty (20) feet thereof.

In "Country Club Section Part Six"

No building site in "Country Club Section Part Six" facing upon Avenue Anastasia, University Drive or Riviera Drive shall contain less than two platted lots where such lots are less then 60 feet in width.

In "Crafts Section"

All of Block 38, "Crafts Section", is restricted to two building sites to permit the construction of two bungalow-type duplexes;

Lots 1 to 11, inclusive, Block 39, "Crafts Section", shall be restricted to six building sites as follows:

(a) Lot 1 and the West 10 feet of Lot 2
(b) Lot 3 and the East 30 feet of Lot 2

(c) Lots 4 and 5
(d) Lots 6 and 7
(e) Lots 8 and 9
(f) Lots 10 and 11

In "Douglas Section"

No building site in "Douglas Section" facing upon Ponce de Leon Boulevard or East Ponce de Leon Boulevard shall contain less than two platted lots where such lots are less than 55 feet in width.

In "Flagler Section"

No building site in "Flagler Section" facing upon Ponce de Leon Boulevard shall contain less than two platted lots, where such lots are less than 55 feet in width.

In "French Village" (1737)

Lots 1, 2, 3, 6 and 7, Block 4, are determined to be building sites for the contruction of residences that conform to the architecture, setbacks, walls and facings of other buildings in said Block 4. (1737)

In "Granada Section"

(1) No building site in "Granada Section" facing upon Granada Boulevard shall contain less than two platted lots, where such lots are less than 55 feet in width; and no building site in "Granada Section" facing upon Country Club Prado shall have less than 75 feet street frontage.

(2) Lots 14 and 15, Block 80, Granada Section shall be considered as two (2) building sites as follows: (2469)

a. Lot 14 shall be subject to use for a single family residence.

b. Lot 15 shall be subject to use for off--street parking in connection with the funeral chapel located on Lots 1, 2 and 3, Block 80, Granada Section.

c. That should the off-street parking be discontinued on said Lot 15, said Lots 14 and 15 shall be subject to the provisions of Section 3(b) of Ordinance No. 2469.

In "Riviera Section Part Two"

(1) No building site in or upon Lots 10 to 20, inclusive, Block 39, "Riviera Section Part Two" shall have a street frontage of less than seventy (70) feet.

(2) Lots 1 and 2, Block 37, "Riviera Section Part Two", shall be restricted to one (1) building site.

(3) No building site in or upon Lots 3 to 13, inclusive, Block 37, "Riviera Section Part Two" shall have a street frontage of less than ninety (90) feet.

(4) No building site in or upon Lots 14 to 35, inclusive, Block 37, "Riviera Section Part Two" shall have a street frontage of less than seventy-five (75) feet.

(5) Lots 36 to 40, inclusive, Block 37, "Riviera Section Part Two" shall be restricted to one (1) building site.

In "Riviera Section Part Three"

(1) No building site in or upon Lots 19 to 24, inclusive, Block 89, and Lots 37 to 52, inclusive, Block 91, "Riviera Section Part Three" shall have a street frontage of less than one hundred feet (100') if used for erection and construction of duplex residence buildings.

(2) Lots 10 and 11, Block 48, "Riviera Section Part Three" shall be restricted to one (1) building site.

(3) Lots 12 to 15, inclusive, Block 48, "Riviera Section Part Three" shall be restricted to one (1) building site.

(4) Lots 42 and 43, Block 85, "Riviera Section Part Three" shall be restricted to one (1) building site.

(5) Lots 1 and 2, Block 88, "Riviera Section Part Three" shall be restricted to one (1) building site.

(6) No building site in or upon the following described property in "Riviera Section Part Three" shall have a street frontage of less than seventy-five feet (75'):

(a) Lots 16 to 32, inclusive, Block 48
(b) Lots 13 to 36, inclusive, Block 49
(c) Lots 1 to 5, inclusive, and Lots 44 to 47, inclusive, Block 85
(d) Lots 11 to 29, inclusive, Block 88

(7) No building site in or upon the following described property in "Riviera Section Part Three" shall have a street frontage of less than ninety feet (90'):

(a) Lots 1 to 9, inclusive, Block 48
(b) Lots 1 to 12, inclusive, Block 49
(c) Lots 6 to 25, inclusive, Block 85
(d) Lots 3 to 10, inclusive, Block 88

In "Riviera Section Part Four"

(1) No building site in or upon Lots 1 to 8, inclusive, Block 56, shall have a street frontage of less than one hundred feet (100').

(2) No building site in or upon Lots 9 to 19, inclusive, Block 56, shall have a street frontage of less than one hundred feet (100').

In Amended and Corrected Plat of Sunrise Point

Lots 18, 19 and 29, Block "E", amended and corrected plat of Sunrise Point and portion of vacated Sunrise Avenue adjacent thereto shall be considered as two (2) building sites as follows: (2346)

(a) One building site to consist of Lot 18 and that portion of vacated Sunrise Avenue adjacent thereto.

(b) One building site to consist of Lots 19 and 20 and the adjacent portion of vacated Sunrise Avenue lying north of Lot 102, Block 2, Sunrise Harbour.

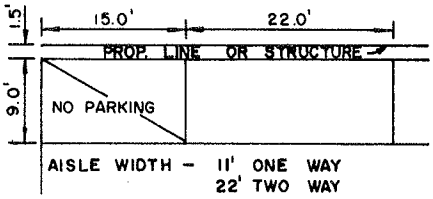
OFF-STREET PARKING STANDARDS

DEPARTMENT OF PUBLIC WORKS — CITY OF CORAL GABLES

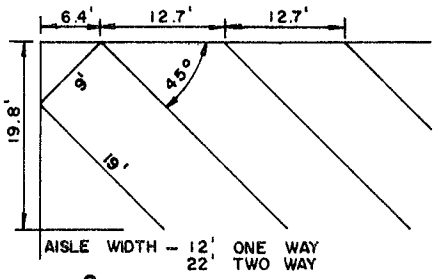
DRAWING NO. 1600-20M-DECEMBER 30, 1981 — REVISED FEBRUARY 18, 1982

STANDARD STALL DIMENSIONS

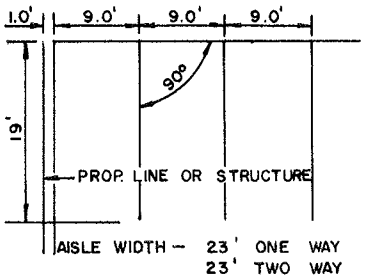
PARALLEL PARKING



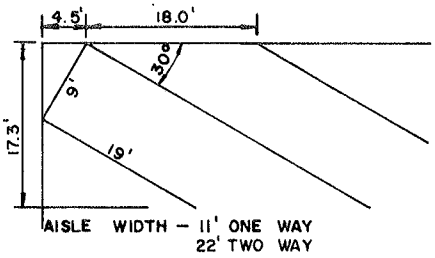
45° ANGLE PARKING



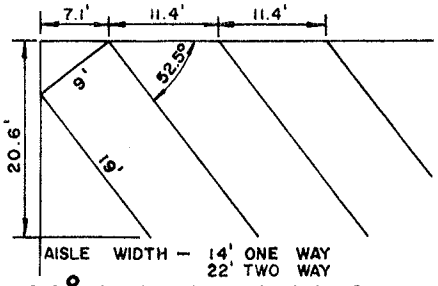
90° PARKING



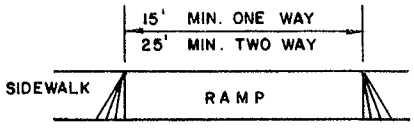
30° ANGLE PARKING



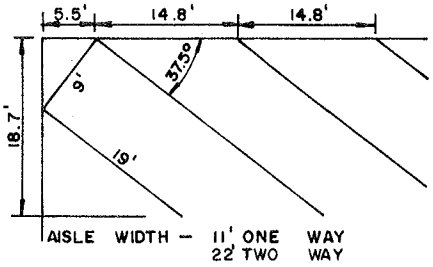
52.5° ANGLE PARKING



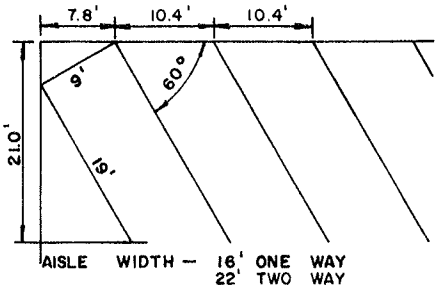
ENTRANCE – EXIT



37.5° ANGLE PARKING



60° ANGLE PARKING



NOTES:

1 - WHEN COMPACT & STANDARD CARS WILL USE THE SAME AISLE FOR MANEUVERING, THE LARGER OR STANDARD VEHICLE AISLE WIDTH SHALL BE USED.

2 - PRECAST CONCRETE WHEEL STOPS SHALL BE USED AT EACH STALL ABUTTING A SIDEWALK OR BUILDING. STANDARD CARS SHALL BE CURBED AT SEVENTEEN (17) FEET & COMPACT CARS AT FOURTEEN & ONE HALF (14.5) FEET.

3 - CROSS AISLES SHALL BE A MIN. OF FOURTEEN (14) FEET WIDE FOR ONE WAY TRAFFIC & TWENTY FOUR (24) FEET FOR TWO WAY TRAFFIC.

4 - THE MIN. TURNING RADIUS SHALL BE EIGHTEEN (18) FEET INSIDE, TWENTY NINE (29) FEET OUTSIDE.

5 - A 6" X 12" CONCRETE CURB SHALL BE PLACED AROUND THE PROPERTY PERIMETER UNLESS OTHERWISE DIRECTED BY PUBLIC WORKS DIRECTOR.

6 - ACCESS TO PARKING LOTS FROM ALLEYS WILL BE PERMITTED ONLY AT THE DISCRETION OF THE PUBLIC WORKS DIRECTOR SO AS TO PROVIDE FOR THE ORDERLY FLOW OF TRAFFIC.

7 - PARKING SPACES FOR THE HANDICAPPED SHALL BE A MIN. OF 13' X 19' UNLESS DIRECTED OTHERWISE BY THE PUBLIC WORKS DIRECTOR.

8 - DIMENSIONS SHOWN FOR PARKING STALLS ARE MIN; COLUMNS & OTHER OBSTRUCTIONS WILL NOT BE ALLOWED WITHIN THIS AREA.

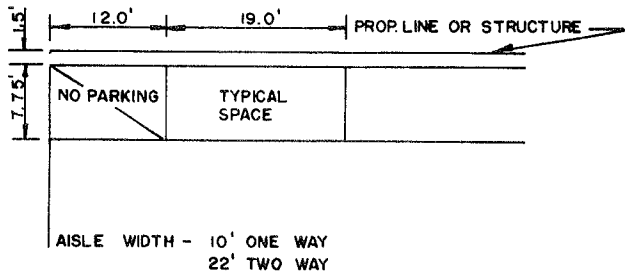
OFF-STREET PARKING STANDARDS

DEPARTMENT OF PUBLIC WORKS — CITY OF CORAL GABLES

DRAWING NO. 1600-20M-DECEMBER 30, 1981 — REVISED FEBRUARY 18, 1982

COMPACT CAR STALL DIMENSIONS

PARALLEL PARKING



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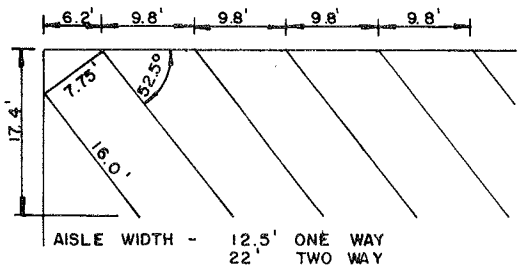
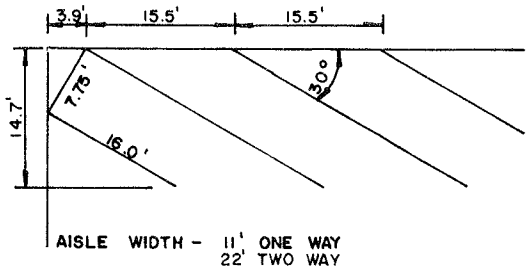
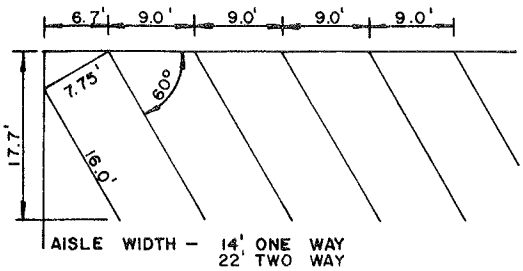


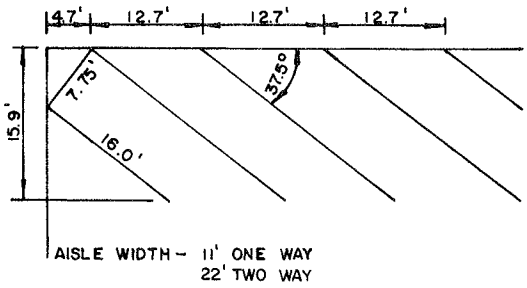
30° ANGLE PARKING



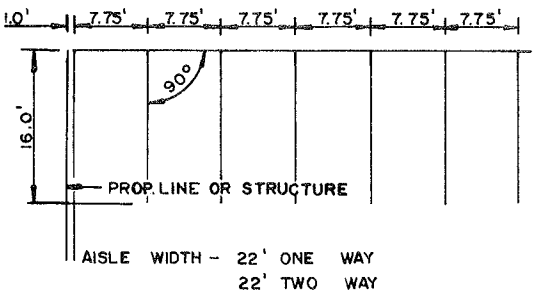
60° ANGLE PARKING



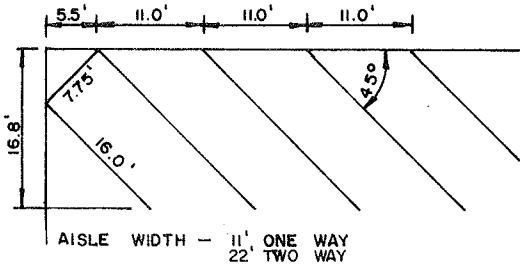
37.5° ANGLE PARKING



90° PARKING



45° ANGLE PARKING



NOTE:

NOTES SHOWN FOR STANDARD CARS ALSO APPLY TO COMPACT CARS

Rev. 6-30-82

(l) Carports. The minimum size required for a free standing carport shall be 9'0" wide as measured between supports by 19'0" long as measured from the outside edge of supports. The minimum size required for a two car free standing carport shall be 18'6" wide as measured between supports by 19'0" long as measured from the outside edge of supports. If the side of a carport is attached to the side of a building, add 1'6" to the width. If the end of a carport is attached to the end of a building, add 1'6" to the length. (2059)

(m) Garages. The minimum size required for a one car garage shall be 12'0" wide by 22'0"

long, inside dimensions. The minimum size required for a two car garage shall be 22'0" wide by 22'0" long, inside dimensions. (2059)

(3) **Location, General** (1660)

(a) Generally, parking for special uses, duplexes and apartments shall be located in the rear yard area (not including the side street setback) or between the building and the side interior property line or a combination of the two above mentioned areas. The said parking shall be provided in a manner as to prevent the backing of vehicles into the street traffic. No parking for special uses, duplexes, and apartments shall be permitted in the front setback area, unless it is in addition to the minimum parking requirements and is approved as provided in this section. (1766)

Any deviation from the above must be recommended by the Board of Architects and approved by the City Commission without the requirement of appearing before the Board of Adjustment, provided, however, that in all cases where a change of zoning or a variance to the "Zoning Code" shall be required in connection with construction of special uses, duplexes or apartments, the City Commission shall take no action upon the recommendation of the Board of Architects until such time as the Planning and Zoning Board has submitted a recommendation upon such proposed change of zoning and/or the Board of Adjustment has taken final action on the requested variance. (1908, 2300)

(b) Fifty percent (50%) of the required off-street parking for special uses, duplexes, apartments or for living units in commercial or industrial areas may be located off-site subject to the following conditions:

1. The off-street parking must commence within three hundred feet (300') of the building site.
2. The owner shall submit to the City Clerk a restrictive covenant, in recordable form, reserving the off-street parking site for off-street parking for the building for as long as the parking shall be required.

(c) Parking for commercial or industrial uses may be located off-site subject to the following conditions:

1. It must commence within five hundred feet (500') of the building site.
2. The owner shall submit to the City Clerk a restrictive covenant, in recordable form, reserving the off-street parking site for off-street parking for the building for as long as the parking shall be required.

(4) **Landscaping Requirements for Certain Yard Areas and Off-Street Parking and Other Vehicular Use Areas.** (1660)

All areas used for the display or parking of any and all types of vehicles, boats or heavy construction equipment, whether such vehicles, boats or equipment are self-propelled or not, and all land upon which vehicles traverse the property as a function of the primary use, hereinafter referred to as "other vehicular uses", including but not limited to activities of a drive-in nature such as, but not limited to, filling stations, grocery and dairy stores, banks, restaurants, and the like, shall conform to the minimum landscaping requirements hereinafter provided, save and except areas used for parking or other vehicular uses under, on or within buildings, and parking areas serving single and two-family uses.

(a) **Installation:** All landscaping shall be installed in a sound workmanship like manner and according to accepted good planting procedures with the quality of plant materials as hereinafter described. All elements of landscaping exclusive of plant material except hedges shall be installed so as to meet all other applicable ordinances and code requirements. Landscaped areas shall require protection from vehicular encroachment as herein provided in Section (4)(e) and (4)(f). The Building Division of the Building and Zoning Department of the City of Coral Gables, shall inspect all landscaping and no certificate of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein provided. (1908)

(b) **Maintenance:** The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All landscaped areas shall be provided with a readily available water supply with at least one outlet located within one hundred fifty feet (150') of all plant material to be maintained.

(c) **Plant Material:**

1. Quality. Plant materials used in conformance with provisions of this section shall conform to the Standards for Florida No. 1 or better as given in "Grades and Standards for Nursery Plants" Part 1, 1963 and Part II, State of Florida, Department of Agriculture, Tallahassee, or equal thereto. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. Grass seed shall be delivered to the jobsite in bags with Florida Department of Agriculture tags attached indicating the seed growers compliance with the Department's quality control program.

2. Trees shall be species having an average mature spread of crown of greater than fifteen feet (15') in Dade County and having trunk(s) which can be maintained in a clean condition over five feet (5') of clear wood. Trees having an average mature spread of crown less than fifteen feet (15') may be substituted by grouping the same so as to create the equivalent of a fifteen foot (15') crown spread.

   Palms shall be considered trees in accord with standards promulgated by the City of Coral Gables Building and Zoning Department and approved by the City Commission. (1908)

   Tree species shall be a minimum of seven feet (7') overall height immediately after planting. Trees of species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than twelve feet (12') to such public works, unless the tree root system is completely contained within a barrier for which the minimum interior containing dimensions shall be five feet (5') square and five feet (5') deep, and for which the construction requirements shall be four inch (4") thick concrete reinforced with #6 road mesh (6x6x6) or equivalent. A list

of such tree species shall be maintained by the Building and Zoning Department for the guidance of the public. (1908)

3. **Shrubs and Hedges.** Shrubs shall be a minimum of two feet (2') in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within a maximum of one (1) year after time of planting.

4. **Vines.** Vines shall be a minimum of thirty inches (30") in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.

5. **Ground Covers.** Ground covers used in lieu of grass in whole or in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within three (3) months after planting.

6. **Lawn Grass.** Grass areas shall be planted in species normally grown as permanent lawns in Dade County. Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion, and providing that in areas where other than solid sod or grass seed is used, nursegrass seed shall be sown for immediate effect and protection until coverage is otherwise achieved.

(d) Required Landscaping Adjacent to Public Rights of Way.

On the site of a building or structure or open lot use providing an off-street parking area or other vehicular use area, where such area will not be entirely screened visually by an intervening building or structure from any abutting right of way, excluding dedicated alleys, there shall be provided landscaping between such area and such right of way, as follows:

1. A strip of land at least five feet (5') in depth located between the abutting right of way and the off-street parking area or other vehicular use area which is exposed to an abutting right of way shall be landscaped, such landscaping to include one tree for each 50 lineal feet or fraction thereof. Such trees shall be located between the abutting right of way and off-street parking area or other vehicular use area and shall be planted in a planting area of at least twenty-five square feet (25 sq. ft.) with a minimum dimension of at least five feet (5'). In addition, a hedge, wall, or other durable landscape barrier of at least two feet (2') in height shall be placed along only the perimeter of such landscaped strip. If such durable barrier is of non-living material, for each ten feet (10') thereof, one shrub or vine shall be planted abutting such barrier but need not be spaced ten feet (10') apart. Such shrubs or vines shall be planted along the street side of such barrier unless they are of sufficient height at the time of planting to be readily visible over the top of such barrier. The remainder of the required landscaped areas shall be landscaped with grass, ground cover, or other landscape treatment excluding paving.

2. All property other than the required landscaped strip lying between the right of way and off-street parking area or other vehicular use area shall be landscaped with at least grass or other ground cover.

3. Necessary accessways from the public right of way through all such landscaping shall be permitted to service the parking or other vehicular use areas and such accessways may be subtracted from the lineal dimension used to determine the number of trees required.

(e) Perimeter Landscaping Relating to Abutting Properties.

On the site of a building or structure or open lot use providing an off-street parking area or other vehicular use area, where such areas will not be entirely screened visually by an intervening building or structure from abutting property, that portion of such area not so screened shall be provided with a wall having a minimum height of three and one-half feet (3-1/2') and a maximum height of four feet (4') or a hedge having a height of not less than three and one-half feet (3-1/2') to form a continuous screen between the off-street parking area or other vehicular use area and such abutting property. Such landscape barrier shall be located between the common lot line and off-street parking area or other vehicular use area exposed to the abutting property provided the purpose of screening off-street parking area and other vehicular use areas is accomplished. If such barrier consists all or in part of plant material, such plant materials shall be planted in a planting strip of not less than two and one-half feet (2-1/2') in width.

In addition, one tree shall be provided for each seventy-five (75) lineal feet of such landscape barrier or fractional part thereof. Such trees shall be located between the common lot line and the off-street parking area or other vehicular use area. Each such tree shall be planted in at least twenty-five square feet (25 sq. ft.) of planting

area with a minimum dimension of at least five feet (5'). Each such planting area shall be landscaped with grass, ground cover or other landscape material excluding paving in addition to the required tree.

The provisions of this sub-section shall not be applicable in the following situations:

1. Where a property line abuts a dedicated alley.

2. Those portions of the property that are opposite a building or other structure located on the abutting property constructed so as to have no setback from the common property line.

3. Where a proposed parking area or other vehicular use area abuts an existing hedge, wall or other durable landscape barrier on an abutting property, said existing barrier may be used to satisfy the landscape barrier requirements of this subsection provided that said existing barrier meets all applicable standards of this ordinance and protection against vehicular encroachment is provided for hedges.

4. Where the abutting property is zoned or used for non-residential uses, only the tree provision with its planting area as prescribed in this sub-section shall be required; however, the number of trees may be reduced to one tree for every one hundred twenty-five (125) lineal feet or fraction thereof but all perimeter requirements shall apply within the front setback area.

Off-street parking for commercial uses located adjacent to property zoned for "R", "D" or "A" Uses shall provide a five (5) foot landscaped area adjacent to said "R", "D" or "A" Use zoned property. A commercial use which is separated by a dedicated alley from an "R", "D" or "A" Use is exempted from providing such five (5) foot landscaped area along the lot line abutting the alley. (2422)

(f) **Parking Area Interior Landscaping.** Off-street parking areas shall have at least ten (10) square feet of interior landscaping for each parking space excluding those spaces abutting a perimeter for which landscaping is required by

other sections hereof and excluding all parking spaces which are directly served by an aisle abutting and running parallel to such a perimeter. In addition, other vehicular use areas shall have one (1) square foot of landscape areas for each one hundred (100) square feet or fraction thereof of paved area for the first fifty thousand (50,000) square feet excluding the first five thousand (5,000) square square feet of paved area plus one (1) square foot of landscape area for each two hundred (200) square feet or fraction thereof of paved area for all paved area over fifty thousand (50,000) square feet; provided however, in areas zoned for industrial use these requirements shall be reduced by 50%. Where the property contains both parking areas and other vehicular use areas, the two types of areas may be separated for the purposes of determining the other vehicular use area by first multiplying the total number of parking spaces by four hundred (400) and subtracting the resulting figure from the total square footage of the paved area. Each separate landscaped area shall contain a minimum of fifty (50) square feet and shall have a minimum dimension of at least five feet (5') and shall include at least one tree having a clear trunk of at least five feet (5'), with the remaining area adequately landscaped with shrubs, ground cover or other authorized landscaping material not to exceed three feet (3') in height. The total number of trees shall not be less than one (1) for each one hundred (100) square feet or fraction thereof of required interior lanscaped area. Such landscaped areas shall be located in such a manner as to divide and break up the expanse of paving.

In other vehicular use areas where the strict application of this sub-section will seriously limit the function of said area, the required landscaping may be located near the perimeter of the paved area including such perimeters which may be adjacent to a building on the site. Such required interior landscaping which is relocated as herein provided shall be in addition to the perimeter landscaping requirements.

The front of a vehicle may encroach upon any interior landscaped area when said area is at least three and one-half feet (3½') in depth per abutting parking space and protected by wheel stops or curbing. Two feet (2') of said landscaped area may be part of the required depth of each aubtting parking space.

(g) **Sight Distance for Landscaping Adjacent to Public Rights of Way and Points of Access.** When an accessway intersects a public right of way or when the subject property abuts the intersection of two or more public rights of way, all landscaping within the triangular areas described below shall provide unobstructed cross-visibility at a level between three feet (3') and six feet (6'), provided however, trees or palms having limbs and foliage trimmed in such a manner that no limbs or foliage extend into the cross-visibility area shall be allowed, provided they are so located so as not to create a traffic hazard. Landscaping except required grass or ground cover shall not be located closer than three feet (3') from the edge of any accessway pavement. The triangular areas above referred to are:

1. The areas of property on both sides of an accessway formed by the intersection of each side of the accessway and the public right of way line with two sides of each triangle being ten feet (10') in length from the point of intersection and the third side being a line connecting the ends of the two other sides.
2. The area of property located at a corner formed by the intersection of two or more public rights of way with two sides of the triangular area being thirty feet (30') in length along the abutting public right of way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two lines.

(h) **Existing Plant Material.** In instances where healthy plant material exists on a site prior to its development, in part or in whole, for purposes of off-street parking or other vehicular use areas, the Building and Zoning Department may adjust the application of the above mentioned standards to allow credit for such plant material if, in its opinion, such an adjustment is in keeping with and will preserve the intent of this section. (1908)

(5) Commercial and Industrial Classification of Uses and Central Business District

(a) Specific Use — Any building, structure or any tenantable space used for other than residential purposes, and which is designed, when constructed, for use for one or more of the specific uses detailed under Paragraph 6, "Minimum Parking Requirements", shall be provided with parking spaces, on the basis of the minimum requirements set forth in Paragraph 6.

(b) General Use — Any building, structure, or any tenantable space used for other than residential purposes, which is not specifically designed, when constructed, for use for one or more of the specific uses detailed under Paragraph (6), "Minimum Parking Requirements" below shall be provided with a minimum of one parking space per three hundred (300) square feet of gross floor area. (2382)

(c) Inadequate parking resulting after the application of Paragraph 5 (b), "General Use", provision above. If, after the required parking spaces are provided in accordance with Paragraph 5 (b) above, change of occupancy or unforeseen conditions result in the actual occupancy of the building, structure, or tenantable space being one or more of the specific uses detailed under Paragraph 6, "Minimum Parking Requirements", and if the parking spaces already provided in accordance with Paragraph 5 (b) above are less than the number required for said specific use or uses, as detailed under Paragraph 6, "Minimum Parking spaces shall be provided by the owner of said building, structure, or tenantable space as provided for in Paragraph 7.

(d) Central business district

1. The central business district shall consist of all commercially zoned property, bordered by LeJeune Road on the West, Douglas Road on the East, Navarre Avenue on the North, and Almeria Avenue on the South.
2. Any building used for other than residential purposes and located in the City of Coral Gables central business district, as herein defined, shall be ex-

empted from the off-street parking requirements of Section 8.04 of this code, provided, however, that the Floor Area Ratio (F.A.R.) of such buildings shall not exceed 1.25. (2308)

3. New buildings containing a Floor Area Ratio (F.A.R.) of more than 1.25 and existing buildings being enlarged to contain a Floor Area Ratio (F.A.R.) of more than 1.25 shall provide off-street parking in accordance with the requirements of Section 8.04 of this code. (2308)

(6) **Minimum Parking Requirements – By Use**

(a) Offstreet parking shall be provided and maintained as shown on the schedule designated as "The City of Coral Gables Minimum Offstreet Parking Requirements – By Use, Tables Nos. 1, 2, 3 and 4 as follows, to-wit: (1934, 2170)

THE CITY OF CORAL GABLES
MINIMUM OFFSTREET PARKING REQUIREMENTS – BY USE
TABLE 1

Residential Uses	
Single Family Residence	One (1) parking space consisting of a porte-cochere, breezeway or garage.
Duplex or Two Family Residence	(a) One and one-half (1½) parking spaces for each one (1) and two (2) bedroom units; (b) Two (2) parking spaces for each three (3) or more bedroom units.
Apartment Building	For that area lying south of the Miami city limit line and east of LeJeune Road and Old Cutler Road, the following offstreet parking spaces shall be provided: (a) Two (2) parking spaces for each efficiency, one (1) bedroom, two (2) bedroom or three (3) bedroom apartment unit; (b) Three (3) parking spaces for each apartment containing four (4) or more bedrooms; (c) One (1) parking space for each twenty (20) parking spaces provided for use as supplemental parking. For all of the City of Coral Gables except that area lying south of the Miami city limit line and east of LeJeune Road and Old Cutler Road, the following parking spaces shall be provided: (a) One and one-half (1½) parking spaces for each efficiency, one (1) bedroom or two (2) bedroom apartment units; (b) Two (2) parking spaces for each three (3) bedroom apartment units; (c) Three (3) parking spaces for each apartment containing four (4) or more bedrooms; (d) One (1) parking space for each fifteen (15) percent of the apartment units for supplemental parking.
Hotel	(a) One (1) parking space for each sleeping room; (b) One (1) employee parking space for each eight (8) hotel sleeping rooms; (c) Spaces required for other uses in hotel such as retail shops, beauty shops and barber shops, bars, restaurants, meeting rooms and etc.
Apartment-Hotel	(a) One (1) parking space for each hotel sleeping room; (b) One and one-half (1½) parking spaces for each efficiency, one (1) bedroom or two (2) bedroom apartments; (c) Two (2) parking spaces for each three (3) bedroom apartments; (d) Three (3) parking spaces for each apartment containing four (4) or more bedrooms; (e) One (1) employee parking space for each eight (8) hotel sleeping rooms; (f) In each instance, spaces required for other uses such as retail shops, beauty shops, barber shops, bars, restaurants, meeting rooms and etc.
Motel or Motor Court	(a) One (1) parking space for each sleeping room; (b) One (1) parking space for manager; (c) One (1) employee parking space for each eight sleeping rooms; (d) Parking spaces required for other uses such as retail shops, beauty shops and barber shops, restaurants, meeting rooms and etc. if applicable under Section 3.18.

THE CITY OF CORAL GABLES
MINIMUM OFFSTREET PARKING REQUIREMENTS – BY USE
TABLE 2

Commercial Uses					
One (1) parking space required per square feet of gross building floor area shown below:					
100 square feet	200 square feet	250 square feet	300 square feet	350 square feet	400 square feet
Business Schools Trade Schools Vocational Schools	Beauty Shops Clinics, Medical & Dental outside the Central Business District Medical & Dental Buildings outside the Central Business District Post Office	Animal Hospitals Cat Beauty Shops Civic Clubs Clinics, Medical & Dental in the Central Business District Community Centers Dog Beauty Shops Fraternal Buildings Libraries Lodge Buildings Medical & Dental Buildings in the Central Business District Museums Private Clubs Union Halls Veterinary Clinics	Banks Business & Professional Offices outside the Central Business District Dry Cleaners Laundries Savings Institutions Self-service Laundries	Art Galleries Artists Studios Barber Shops Business & Professional Offices in the Central Business District Credit Unions Finance Companies Finance Institutions Photographers Photo Galleries Retail Shops Retail Stores Sales Shops Travel Agencies Trust Companies	Blueprinting Cleaning Plants Dying Plants Engraving Plants Newspaper Plants Picture Framing Photocopy Photostatic Copying Photo Developing & Printing Printing Plants Repair Shops (shoes, clothing, appliances, etc.)

One and one-half (1½) parking spaces required per square feet of gross building floor area shown below:			
100 square feet		200 square feet	
Outside Central Business District		In the Central Business District	
Bars Beer Gardens Cafes Cafeterias Cocktail Lounges	Delicatessens Lunch Counters Restaurants Taverns	Bars Beer Gardens Cafes Cafeterias Cocktail Lounges	Delicatessens Lunch Counters Restaurants Taverns

MIXED USES: Offstreet parking for mixed uses shall be provided in accordance with Section 8.04 (7) (g).

CENTRAL BUSINESS DISTRICT:
(a) For delineation of the Central Business Disrtrict refer to Section 8.04 (5) (d) (1).
(b) Buildings not exceeding a (F.A.R) of 1.25 located within the Central Business District and used for other than residential purposes are not required to provide off-street parking (Section 8.04 (5) (d) (2). (2308)

OFF-STREET LOADING: Offstreet loading spaces shall be provided in accordance with Section 8.04 (9)

THE CITY OF CORAL GABLES
MINIMUM OFFSTREET PARKING REQUIREMENTS – BY USE
TABLE 3

Parking space requirements for uses based on the number of beds, seats, bowling alleys, assembly and dance floor area, etc. as follows:	
Hospitals	Two (2) parking spaces for each bed.
Auditoriums & Assembly Halls	One (1) parking space for each four (4) fixed seats plus one (1) parking space for each forty (40) sq.ft. of floor area where movable seats.
Convention Halls Exhibition Halls Gymnasiums Skating Rinks Stadiums Sports Arenas	One (1) parking space for each five (5) spectator seats, or one (1) parking space for each two hundred (200) sq.ft. of gross floor area, whichever is greater.
Churches	One (1) parking space for each five (5) fixed seats plus one (1) parking space for each fifty (50) sq.ft. of assembly room area not having fixed seats (not to include classrooms).
Funeral Chapels Funeral Homes Mortuaries	One (1) parking space for each four (4) fixed seats plus one (1) parking space for each forty (40) sq.ft. of floor area where movable seats with a minimum of ten thousand (10,000) sq.ft. of parking area.
Theatres Motion Picture Houses	One (1) parking space for each four (4) fixed seats.
Bowling Lanes	Four (4) parking spaces for each alley.
University Classroom	One (1) parking space for each ten (10) fixed or movable student seats.
Senior High School	One (1) parking space for each ten (10) fixed or movable student seats plus one (1) parking space for each classroom.
Junior High School Elementary Schools	One (1) parking space for each classroom plus one (1) parking space for each two hundred (200) sq.ft. of assembly area.
Kindergarten Nurseries	One (1) parking space for each eight hundred (800) sq.ft. of gross building floor area.
Dancing Schools	One (1) parking space for each one hundred (100) sq.ft. of dance floor area, plus one (1) parking space for each six hundred (600) sq.ft. of gross building floor area.
Dance Halls Ballrooms	One (1) parking space for each one hundred (100) sq.ft. of dance floor area.
Dormitories Fraternity Houses Sorority Houses	One (1) parking space for each one hundred fifty (150) sq.ft. of floor area used for sleeping.
Cars, Sales and Service	(a) One (1) parking space for each three hundred (300) sq.ft. of office space; (b) One (1) parking space for each six hundred (600) sq.ft. of showroom floor area; (c) One (1) parking space for each five hundred (500) sq.ft. of remaining gross floor area.
Convalescent Homes Homes for the Aged Nursing Homes Rest Homes Sanitariums	Three (3) parking spaces for each four (4) beds.
OFF-STREET LOADING: Offstreet loading spaces shall be provided in accordance with Section 8.04 (9).	

THE CITY OF CORAL GABLES
MINIMUM OFFSTREET PARKING REQUIREMENTS – BY USE
TABLE 4

Industrial and Miscellaneous Uses	
One (1) parking space for each three hundred (300) sq.ft. of office floor area plus one (1) parking space for each 500 or 1,000 sq.ft. of remaining gross building floor area as shown below:	
500 square feet	1,000 square feet
Automobile Repair Shop Paint and Body Shop	Assembly Plants Boats, Display and Sales Bottling Plants Contractor Shop such as General, Plumbing, Electrical, Roofing and etc. Distributorship with Warehousing Electronic Plants Heat Processing Plants Manufacturing Plants Research Laboratories Sign Painting Shops Storage Establishments Testing Laboratories Tire and Recapping Shops Warehouses and Welding Shops Wholesale Distributor with Warehousing Upholstering Shops
OFF-STREET LOADING: Offstreet loading spaces shall be provided in accordance with Section 8.04 (9).	

(7) **Definitions – Measurement**

In construing the provisions of this section where the context will permit, the definitions provided in Section 1.01, Florida Statutes, and the following shall apply: (1660)

(a) **Landscaping** – Landscaping shall consist of any of the following or combination thereof: material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms; and non-living durable material commonly used in landscaping, such as but not limited to rocks, pebbles, sand, walls or fences but excluding paving.

(b) **Encroachment** – Encroachment is defined as any protrusion of a vehicle outside of a parking space, display area or accessway into a landscaped area.

(c) **Trees** – Trees shall be defined as self-supporting woody plants of species which normally grow to an overall height of a minimum of fifteen feet (15') in Dade County.

(d) **Shrubs** – Shrubs required by this section shall be self-supporting, woody, evergreen species, as normally grown in Dade County.

(e) **Vines** – Vines are plants which normally require support to reach mature form.

(f) **Uses not specifically mentioned in Paragraph 6** – If the intended Use is not listed in Paragraph 6 hereinabove, the off-street parking requirement shall be the same as required for a similar use which is referred to herein; however, in case of dispute direct application may be made to the City Commission.

(g) **Mixed Uses** – In the case of Mixed Uses, unless specifically mentioned to the contrary, 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 Use shall not be considered as providing the required off-street parking for any other Use.

(h) **Fractional Spaces** – When units or measurements determining number of required off-street parking spaces shall result in a fractional space, any such fraction equal to or greater than one-half (½) shall require a full off-street parking space.

(i) **Measurement** – For the purpose of this section, the following shall apply:

1. Gross Area shall be considered a gross area obtained by use of exterior building dimensions.
2. Seating Space, Counters – Thirty (30) linear inches of counter space shall be considered as one seating space.
3. Seating Space, Spectators – Twenty (20) linear inches shall be considered as one seating space.

(8) **Special Conditions**

(a) **Credit for First Story Parking, Apartments and Hotels** – Where the height of apartment and hotel buildings is limited by the Zoning Code to three (3) stories, an additional floor or story will be allowed under the following conditions, providing, however, that this provision shall not apply to the specific property as set forth under Section 9.031 hereof: (1852, 2239)

1. At least seventy-five (75) percent of the gross floor area of the first story is used for off-street parking, access and circulation. (2239)
2. Use of the remainder of the first story area is limited to manager's office, necessary vertical building circulation, service facilities and building access facilities (which can include an entrance foyer or lobby).
3. Building shall not exceed fifty (50) feet in height.

4. Architectural treatment of first story parking area shall be integrated with that of the building as a whole.

5. First story parking shall be screened, insofar as practicable, from street view.

6. Design of the first story shall be integrated with that of the building as a whole, and shall be approved by the Board of Architects.

7. The maximum lot coverage for the principal building shall not exceed twenty-eight (28) percent. (1772)

8. The maximum lot coverage for the principal and accessory building shall not exceed thirty-four (34) percent. (1772)

9. The general set-back requirements shall be in accordance with Section 6.14 (1) of this ordinance. (1772)

(b) **Use of Required Parking Areas for Commercial Parking Lots** – No area designated as a parking area for required off-street parking shall be operated as a Commercial Parking Lot.

(9) **Offstreet Loading**

(a) When a need is evident, adequate offstreet loading spaces shall be provided for all commercial, educational and industrial buildings unless specifically exempted as noted below.

(b) If required, every new building shall provide one loading space, ten by twenty-five (10 x 25) feet, with fourteen feet (14') minimum height clearance, either in the building or on the site, and such space shall be created in computing the overall parking requirement.

(c) The final determination on the number of spaces and all other characteristics of offstreet loading facilities will be determined by the City of Coral Gables Building and Zoning Department in collaboration with the Board of Architects.

(10) **Separation and Loss in Full or in Part of Offstreet Parking Areas**

Anything in this ordinance to the contrary, it hereby is specifically provided that the applicant shall exhibit his plan for offstreet parking and present to the City proof of his ownership, right, title, interest or claim in and to the area intended for offstreet parking, which shall be such that the area to be occupied by the building necessitating the offstreet parking and the offstreet parking area shall be completely integrated and indivisible so that one may not be separated from the other.

(11) **Additional Penalty Applicable to Offstreet Parking**

(a) In the event that at any time and through any cause the building or structure, singular or plural, should lose or be deprived of the accompanying and requisite offstreet parking facilities, either in whole or in part, then and in that event it shall be unlawful for the building to be used or occupied for the Use zoned, or any other purpose until the parking facilities have been restored or replaced according to the requirements of this ordinance, it being hereby declared that such loss of parking facilities, in addition to any other defect, shall and does constitute a nuisance abatable as such.

(b) This provision and this penalty in connection with the offstreet parking provision of this ordinance shall, and does, constitute a cumulative and additional penalty to the other penalties herein provided.

(12) Collection or Charging of Fees for Required Offstreet Parking Spaces for Duplexes, Apartment Buildings, Hotels, Apartment-Hotels, Motels or Any Other Residential Type Building. In interpreting the offstreet parking provisions of this ordinance, it shall be construed that the owner, his agent or general manager of a duplex, apartment building, hotel, apartment-hotel, motel or any other residential type building shall make available to the tenants, employees or visitors to such building, the offstreet parking as required by the provisions of this code and neither the owner, his agent or general manager shall be authorized to collect or charge a fee for the use of such parking and neither shall the owner, his agent or general manager refuse the right of such tenant, employee or visitor to such building the right to use the offstreet parking spaces which have been provided therefore to meet the requirements of this ordinance. (1984)

SECTION 8.05 REPEALED BY ORDINANCE NO. 1389.

SECTION 8.06 REPEALED BY ORDINANCE NO. 1389.

SECTION 8.07 OFFSTREET PARKING REQUIREMENTS — SPECIFIC LOCATIONS.

In "Coga Subdivision"

(1) Offstreet parking for the apartments constructed in Blocks 2 and 4 shall be located in the rear of the property; all entrances and exits to such parking shall be to and from the alley in each of said blocks.

In "Coral Bay Section 'D' "

(1) Offstreet parking spaces shall not be permitted in any yard or area facing, fronting, or abutting upon the waterway, canal or bay on Tract 'A' and Lots 9A and Lots 10 to 45, inclusive, Block 28.

(2) Offstreet parking spaces are permitted on Tract 'A' and Lots 9A and Lots 10 to 45, inclusive, Block 28, in the area between the structure and the required front setback line.

In "Crafts Section"

(1) For the percentage of the area of Block 8, "Crafts Section", to be used for offstreet parking, please refer to the deed restriction.

In "French Village" (1737)

(1) There shall be profided one off-street parking space per lot for Lots 1, 2, 3, 6 and 7, Block 4.

In "Section 'L' "

(1) There shall be required and there shall be provided and maintained offstreet parking for Lots 1 to 8, inclusive, and Lots 43 to 48, inclusive, Block 30, Section 'L', as follows:

(a) One offstreet parking space for each six hundred (600) square feet of rentable floor space for the structure to be located on above described property.

(b) Said offstreet parking spaces to be located within a distance of one thousand feet (1000′) of said Lots 1 to 8, inclusive, and Lots 43 to 48, inclusive, Block 30, Section 'L'.

(c) The location, parking layout, paving, landscaping, drainage, entrances and exits, and all other necessary relevant matters incident to such offstreet parking shall be submitted to City Manager for approval.

(d) That prior to the issuance of a permit for the construction of a structure upon any of said Lots 1 to 8, inclusive, and of Lots 43 to 48, inclusive, Block 30, Section 'L', the owner or owners of the proposed structure shall execute and cause to be filed a recordable instrument with the City Clerk, which shall be approved as to form by the City Attorney, setting forth the conditions and restrictions of this ordinance, and limiting the property upon which the offstreet parking will be located, for use only for offstreet parking in connection with the structure to be located upon Lots 1 to 8, inclusive, and Lots 43 to 48, inclusive, Block 30, Section 'L', so long as the provision for the requirement of the offstreet parking shall remain in force.

In "Riviera Section Part Two"

(1) All offstreet parking for duplexes constructed on Lots 1 to 13. inclusive and Lots 36 to 40, inclusive, Block 37, "Riviera Section Part Two" shall be located in the rear of the buildings and all entrances and exits to the parking area shall be from the rear (alley).

(2) All of Lot 1, except the East one hundred seven feet (107′) thereof, Block 96, "Riviera Section Part Two", shall be reserved for offstreet parking for use only in connection with the buildings to be constructed on the East ninety-five feet (95′) of Lot 1 and on all of Lot 2, Block 96, "Riviera Section Part Two".

In "Riviera Section Part Three"

(1) All offstreet parking for duplexes constructed on the following described property shall be located in the rear of the buildings and all entrances and exits to the parking area shall be from the rear (alley), to-wit:

(a) Lots 1 to 15 ,inclusive, Block 48, "Riviera Section Part Three".

(b) Lots 1 to 12, inclusive, Block 49, "Riviera Section Part Three".

(c) Lots 1 to 10, inclusive, Block 88, "Riviera Section Part Three".

In "Sunrise Harbour"

(1) Not less than sixty-five (65) percent of the area of Block 3, "Sunrise Harbour," shall be set aside for offstreet parking.

(2) The offstreet parking for apartment buildings on Lots 8 to 20, inclusive, Block 1 and Lots 1 to 9, inclusive, Block 2 shall be subject to the following terms and conditions, to-wit:

(a) That offstreet parking shall be located between the building and the street.

(b) That, in order to screen the parking area from the street, a four foot (4′) high wall shall be constructed with a five feet (5′) strip between the wall and street property line; said strip shall be properly landscaped and so maintained. In the case of a corner lot a four foot (4′) high wall shall be constructed on the side street having the same requirements for setback and landscaping as is required along the front property line.

(c) That a twenty-two foot (22′) entrance driveway to the parking area shall be located in the center of the lot and parking spaces shall be so located that cars will park parallel to the wall and perpendicular to the side property line.

(d) That the parking area shall be paved thirty-five feet (35′) on each side of the driveway in order to screen cars from view by the wall.

SECTION 8.08 REPEALED BY ORDINANCE NO. 1389.

SECTION 8.09 MINIMUM DISTANCE BETWEEN APARTMENT BUILDINGS OF A GROUP. When two or more apartment buildings are built upon adjacent or contiguous building sites as a unified group of buildings under one ownership and as an architectural entity, each such building shall be separated from each of the other buildings by an open space of at least twenty feet (20′).

SECTION 8.10 SUPERSEDED BY SECTION 8.11.

SECTION 8.11 BUILDING SITES — REPLATS AND SUBDIVISIONS FOR R, D AND A USES SOUTH OF THE CORAL GABLES DEEP WATERWAY AND EAST OF OLD CUTLER ROAD. The following minimum size building sites for R. D and A Uses shall be required for all replats and subdivisions for all lands lying South of the Coral Gables Deep Waterway and East of Old Cutler Road, excluding the area within the plats of "Coral Bay Sections 'B', 'C' and 'D' ".

(a) One acre building sites, one tier deep, with a minimum street frontage on Old Cutler Road of one hundred fifty feet (150′) and a maximum street frontage on Old Cutler Road of two hundred eight feet (208′) on the East side of Old Cutler Road from Casuarina Concourse, as shown on Plat Book 60 at Page 37 of the Public Records of Dade County, Florida to the intersection of Old Cutler Road and Red Road, as shown on Plat Book 57 at Page 97 of the Public Records of Dade County, Florida and on the East side of Red Road from the intersection of Old Cutler Road and Red Road, as shown on Plat Book 57 at Page 97 of the Public Records of Dade County, Florida to Avenue Campamento, as shown on Plat Book 57 at Page 97 of the Public Records of Dade County, Florida.

(b) Corner lots not abutting upon a waterway:

1. Minimum street frontage of one hundred fifteen feet (115′).
2. Minimum depth of one hundred twenty-five feet (125′).

(c) Inside lots not abutting upon a waterway:

1. Minimum street frontage of one hundred feet (100′).
2. Minimum depth of one hundred twenty-five feet (125′).

(d) Corner lots abutting upon a waterway:

1. Minimum street frontage of one hundred fifteen feet (115′).
2. Minimum depth of one hundred forty-five feet (145′).

(e) Inside lots abutting upon a waterway:

1. Minimum street frontage of one hundred feet (100′).
2. Minimum depth of one hundred forty-five feet (145′).

SECTION 8.12 BUILDING SITE REQUIREMENTS FOR APARTMENTS, APARTMENT-HOTELS, HOTEL

BUILDINGS, SPECIAL USE BUILDINGS AND UNIVERSITY OF MIAMI BUILDINGS FOUR (4) OR MORE STORIES IN HEIGHT.

(a) Building sites for structures or buildings four (4) or more stories in height shall have a street frontage of not less than one hundred (100) feet and an area of not less than twenty thousand (20,000) square feet, provided, however, that in that portion of the Douglas Section bounded on the west by Salzedo Street, on the north by Southwest Eighth Street (Tamiami Trail), on the east by Douglas Road and on the South by Section "K" and Section "L", apartment buildings may be constructed to a height not exceeding six (6) stories nor seventy (70) feet in height where such building sites and density conform to the following requirements and providing further that the buildings comply with all applicable regulations such as lot coverage, Floor Area Ratio (F.A.R.) and setbacks: (1994, 2171)

Minimum Frontage	Minimum Depth	Minimum Bldg. Site Area	Max. No. of Apt. Units
50 ft.	100 ft.	5,000 sq.ft.	3
–	–	10,000 sq.ft.	7
–	–	15,000 sq.ft.	11
–	–	19,999 sq.ft.	15

(b) Maximum lot coverage which may be occupied by all principal, accessory, and deck structures shall be as follows: (1534, 2171)

Ht. of Prin. Building in Stories	Max. % Lot Cov. Prin. Bldg.	Max. % Lot Cov. Prin., Acces. & Deck Bldg.
4	28	38
5	26	36
6	24	34
7	22	32
8	21	31
9	20	30
10	19	29
11	18	28
12	17	27
13 (150 ft. max.)	16	26

Accessory decks and/or parking structures not exceeding five (5) feet above established grade shall not be computed in the ground coverage. (1534, 2171)

Cantilevered open balconies not exceeding six (6) feet in depth shall not be counted in computing the lot coverage. (2171)

Accessory deck is defined as that area within the first thirty (30) feet above established grade designed for the purpose of accommodating recreational activities and/or off-street parking below its surface and/or usable open space on its upper level; none of which may be used for living purposes. (2171)

(c) Apartment buildings having a height of four (4) stories or more shall be governed by the following density requirements: (1534, 2171)

Bldg. Site Area in Square Feet	Sq. Ft. of Ground Area Required for Each Apt. Unit
20,000 – 24,999	1,000
25,000 – 29,999	900
30,000 & above	800

The number of units permitted between increments shall be increased or decreased proportionally.

(d) Three hundred (300) square feet of ground area shall be required for each unit in a hotel or motel or for each hotel guest room in apartmenthotel. an (1994)

SECTION 8.12.1 BUILDING SITE REQUIREMENTS FOR APARTMENTS, APARTMENT-HOTELS OR HOTEL BUILDINGS THREE FLOORS OR LESS IN HEIGHT.

(a) Apartment buildings having a height of not more than three (3) stories shall be governed by the following density requirements: (1762, 1994, 2171)

Minimum Bldg. Site Area	Maximum No. of Apt. Units	Sq. Ft. of Ground Area Per Apt. Unit
5,000	3	1,667 sq. ft.
10,000	7	1,429 sq. ft.
15,000	11	1,364 sq. ft.
20,000 or more		1,333 sq. ft.

(b) One thousand (1,000) square feet of ground area shall be required for each unit in a hotel having a height on not more than three (3) stories. (1994)

(c) In an apartment-hotel having a height of not more than three (3) stories, one thousand (1,000) square feet of ground area shall be required for each hotel unit and the ground area required for each apartment unit shall be as set forth under Section 8.12.1 hereinabove. (1994)

SECTION 8.12.2 Ordinance No. 2077 was declared unconstitutional, null and void, and of no force and effect by Civil Action No. 74-19487-31.

SECTION 8.12.3 BUILDING SITE REQUIREMENTS FOR COMMERCIAL BUILDINGS HAVING A HEIGHT OF MORE THAN THREE (3) STORIES OR FORTY-FIVE (45) FEET. No commercial building having a height of more than three (3) stories or forty-five (45) feet shall be located on a building site having a frontage contiguous on one street of less than two hundred (200) feet and an area less than twenty thousand (20,000) square feet. (2171)

SECTION 8.13 SCREENING OF STORAGE AREAS. All storage areas permitted under this ordinance shall be enclosed on all sides with a solid or louvered masonry wall, with necessary openings not less than six feet (6') in height.

SECTION 8.14 BUILDING SITES — C AND M USES, GENERAL. No replat or subdivision for C or M Uses shall be approved where the building sites have a street frontage of less than twenty-five feet (25') and a depth of less than one hundred feet (100').

SECTION 8.15 BUILDING SITE - RESIDENTIAL ESTATES. No replat or subdivision for a residential estate shall be approved where the building sites have an area of less than one and one half (1½) acres, a minimum lot width of two hundred (200) feet and a minimum lot depth of two hundred and fifty (250) feet. (2099)

9. REGULATIONS FOR BUILDING AND STRUCTURES

SECTION 9.01 ARCHITECTURAL TYPE, GENERAL. Except as provided for in Section 9.011 of this ordinance, all buildings hereinafter constructed, reconstructed, altered or added to shall be of classical style of Colonial, Spanish, Venetian, Italian or other Mediterranean or similar harmonious architecture. It shall be

the duty and responsibility of the Board of Architects to determine in each and every case whether or not the submitted plans comply with the type of architecture set forth hereinabove and suggest to the designing architect such changes as would bring the plan into conformity. The Board of Architects shall require such changes in the design of the structure so as to preserve the traditional aesthetic treatment and an excellence of design of the community. (2125)

In considering the design of the building, the Board of Architects shall consider and render a decision as to the feasibility of the following elements in the design concept:

a. Trim
b. Shutters
c. Awnings and canopies
d. Windows (Fenestration)
e. Doors
f. Texture of surface
g. Colors
h. Roofs
   1. Materials
   2. Color
   3. Slope
   4. Overhang
i. Planters
j. Window boxes
k. Walls, height, location, materials, design
l. Height of building
m. Location of structure on site
n. Site circulation in regard to pedestrian travel, parking, services, grades and landscaping
o. Location of exposed piping, conduits and rain water leaders

The architectural type for a given location, unless specifically specified to the contrary, shall be in reasonable harmony with the architecture of the neighborhood.

Additions and alterations to buildings which have been designated by ordinance passed and adopted by the City Commission as an "Historical Landmark" shall conform to the architecture of the existing building.

SECTION 9.011 ARCHITECTURAL TYPE, SPECIFIC LOCATIONS. The type of architecture for specific locations in the City of Coral Gables shall be as set forth hereinafter in this section: (2125)

(a) In the "Industrial Section", "MacFarlane Homestead" and "Golden Gate Subdivision", such types of architecture shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.

(b) In Block 45, "Riviera Section Part Three", Dutch Colonial type houses shall be permitted.

(c) Where otherwise required by the terms of existing restrictions in deeds conveying lots or lands, or as specially provided for therein.

(d) In "C" and "M" Use Districts, such types of architecture shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.

(e) On Lots 1 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, "French Village", all new buildings and any additions and alterations to the existing buildings shall be of French Village (Provincial) type of architecture to conform with existing types of architecture in the blocks. (1737, 1995)

(f) On Lots 1 through 14, inclusive, Block 100, "Riviera Section Part 2", all new buildings and any additions and alterations to the existing buildings shall be of Chinese Compound type of architecture to conform with the existing type of architecture in the block. (1995)

(g) On Lots 1 through 20, inclusive, Block 145, "Riviera Section Part 9", all new buildings and any additions and alterations to the existing buildings shall be of French Village (City Style) type of architecture to conform with existing type of architecture in the block. (1995)

(h) On Lots 1, 2, 3 and 4, Block 267, "Riviera Section Part 11", all new buildings and any additions and alterations to the existing buildings shall be of Dutch South Africa type of architecture to conform with existing type of architecture in the block. (1995)

(i) On Lots 1 through 9, inclusive, Block 244, "Riviera Section Part 12", all new buildings and any additions and alterations to the existing buildings shall be of French Village (City Style) type architecture to conform with existing type of architecture in the block. (1995)

(j) On Lots 1 thru 18, inclusive, Block 259, "Riviera Section Part 11" all new buildings and any additions or alterations to the existing buildings shall be of the French style architecture to conform to the existing architecture in the block. (2359)

SECTION 9.012 DESIGN STANDARDS. The owner shall require that his plans be designed in such a manner as to enhance the overall architectural character of the city, neighborhood and street. All new building, alterations, additions or changes to the facade in any nature shall conform to the following regulations. (2125)

(a) The architectural type shall be in accordance with Section 9.01 and/or Section 9.011 of this ordinance.

(b) Marked stucco to simulate shutters, flanking window openings and indiscriminate use of stucco "Scoring" or "cut lines", unless they perform a function in the design shall not be permitted.

(c) Where particular treatments such as scoring, slump brick or other architectural motifs are employed, these shall "return" on the abutting elevations.

(d) Promiscuous use of slump or other brick shall not be permitted.

(e) Where wood or metal columns are used, the same shall be well proportioned.

(f) Shutters shall be architecturally designed to enhance the structure and all tracts and housings shall be concealed from view when not in use.

(g) Rooftop equipment such as that used in air-conditioning and any other type of mechanical or service equipment shall be screened from view, as required by Section 9.36 of this ordinance.

(h) Air cooled condensing and/or compressor equipment, water cooling towers and any other type of mechanical equipment or apparatus installed on or attached to a premises shall be screened from view from the street, waterway, bay or golf course by a wall and landscaping.

(i) Exposed concrete or masonry block shall not be permitted. With the exception of slump, red or

other brick, crab orchard or other stone and architecturally formed and detailed concrete, all masonry surfaces must be stuccoed.

(j) If metal garage doors are used they shall be painted in accordance with Section 11.11 of this ordinance.

(k) No exposed air conditioning duct work or exposed solar tanks shall be permitted.

(l) The approval, materials, slope, construction, location and design of awnings and canopies shall be as set forth under Section 3.34 of this ordinance.

(m) The plans and specifications shall be in accordance with Section 11.08 of this ordinance.

(n) Any aggrieved person desiring to appeal a decision of the Board of Architects shall follow the procedure as set forth under Section 11.13 of this ordinance.

SECTION 9.013 PREPARATION, APPROVAL AND REVISION OF DRAWINGS. The following procedure shall be followed in preparing, obtaining approval and revising preliminary and final working drawings: (2125)

(a) All drawings for new buildings or alterations or additions to existing structures shall be prepared by and bear an impression seal of a registered architect or registered engineer, qualified under the laws of the State of Florida to prepare such plans and specifications.

(b) **APPROVAL IN PRINCIPLE.** Preliminary "Approval in Principle" shall be obtained from the Board of Architects before proceeding with the final working drawings. The drawings for "Approval in Principle" shall preferably be single line plan or plans and shall have a plot plan, floor plan and shall show all affected elevations. Photographs of adjoining properties shall be presented with the preliminary plans. Plans for additions or exterior alterations to existing buildings shall show all elevations of all facades of the building where the alteration occurs, or to which the addition is to be attached.

Whenever the estimated cost of construction of any addition, exterior alteration and/or new construction will exceed twenty-five thousand (25,000) dollars such preliminary plans shall be submitted in duplicate. (2457)

(c) **BOARD OF ARCHITECTS.** It shall be the the duty of the Board of Architects to preserve the traditional aesthetic treatment of the community.

(d) **REVISIONS TO PRELIMINARY PLANS.** When the designing architect and/or engineer revises preliminary plans in accordance with the suggestions of the Board of Architects, he shall return the original drawings showing the Board's suggestions with the revised drawings.

(e) **REVISIONS TO FINAL WORKING DRAWINGS.** After plans have been approved, no deviations from the approved design shall be permitted without the approval of the Board of Architects.

SECTION 9.02 DUPLICATION OF ELEVATION OF DESIGN. No duplication of elevations and/or exterior architectural design shall be permitted in the City of Coral Gables in any residential area. Architects in submitting plans for consideration of the Board of Architects shall, as part of said plan, and as a prerequisite to approval thereof, sign a certificate reading as follows:

"To the best of my knowledge and belief, the within plans and specifications do not duplicate the elevations and/or exterior architectural design of any building in the residential area of the City of Coral Gables, previously submitted by me or by my office; that to the best of my knowledge and belief these plans and specifications are not a duplication of elevations and/or exterior architectural design of any building constructed, or for which a permit has been issued, in the City of Coral Gables; I further certify that I am fully familiar with the ordinance under which this certificated is required.

(seal)"

The provisions of this subsection shall not apply, however, in the following cases:

(a) In the units of a single housing project, which shall be deemed and which hereby is defined as not more than three multiple-family units constructed on a lot or on contiguous lots so as to be an architectural entity; and

(b) To the interior design or floor plan of any structure.

SECTION 9.03 HEIGHT OF BUILDINGS - GENERAL, SPECIAL USE AND UNIVERSITY OF MIAMI. (2171)

(a) Except as set forth herein in Section 9.031 to the contrary, no single-family or duplex residence building shall be constructed in Coral Gables more than two and one-half (2-1/2) stories in height. No subordinate or accessory building permitted by this code as an Auxiliary Use shall exceed in height the maximum height of the principal building on the building site. In "R" and "D" Use Districts, no Special Use building which may be permitted by Special Ordinance shall exceed two and one-half (2-1/2) stories in height. In all instances, said two and one-half (2-1/2) stories shall not exceed a height of thirty-four (34) feet above established grade including ridgeline, domes, steeples, towers and such other similar structures. (2239, 2451)

(b) Except as specifically set forth herein, no apartment building shall be constructed in the City of Coral Gables more than three (3) stories or forty-five (45) feet in height and /or on property abutting or across the street, waterway or alley from single family or duplex zoned property.

(c) Except as specifically set forth herein, no commercial building shall be constructed in the City of Coral Gables more than three (3) stories or forty-five (45) feet in height and /or on property abutting or across the street, waterway or alley from single family or duplex zoned property.

(d) No apartment building shall be constructed, erected, or altered in the City of Coral Gables to a height exceeding thirteen (13) stories, nor shall such buildings exceed a height of one hundred fifty (150) feet. (2420)

(e) No commercial building and/or structure shall be constructed, erected or altered in the City of Coral Gables to a height exceeding thirteen (13) stories nor shall such building or structure exceed a height of one hundred fifty (150) feet. (2420)

(f) The following shall be excluded from the computation of stories: (2420)

1. Penthouses
2. Scenery lofts
3. Cabanas
4. Towers
5. Cupolas
6. Steeples
7. Domes and other roof structures used for ornamental, service or mechanical purposes, not exceeding a combined area of twenty-five (25) percent of the floor immediately below.

(g) The following shall be excluded from the computation of the building height in "A", "C" and "M" Use Districts: (2420)

1. Air-conditioning equipment rooms.
2. Elevator shafts.
3. Elevator mechanical equipment rooms.
4. Parapets
5. Roof structures used only for ornamental and/or aesthetic purposes not exceeding a combined area of twenty-five (25) percent of the floor area immediately below.

Such exclusions shall be subject to the provision that no such structure shall exceed a height of twenty-five (25) feet above the roof.

SECTION 9.031 HEIGHT OF BUILDINGS - SPECIFIC LOCATIONS.

(a) Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one (1) story in height:

1. Lots 1 to 13, inclusive, Block 3, "Coga Subdivision".
2. Lots 46 and 47, Block 28, "Coral Bay Section 'D'".
3. Lots 16 to 21, inclusive, Lots 24 to 30, inclusive; and the West one-half (1/2) of Lot 23, all in Block 36, "Crafts Section".
4. Lots 1 to 4, inclusive, Block 38, "Crafts Section".
5. Lots 1 to 11, inclusive, Block 39, "Crafts Section".
6. Lots 1 to 13, inclusive, and Lots 36 to 40, inclusive, Block 37, "Riviera Section Part Two".
7. Lots 1 to 15, inclusive, Block 48, "Riviera Section Part Three".
8. Lots 1 to 12, inclusive, Block 49, "Riviera Section Part Three".
9. Lots 6 to 25, inclusive, and Lots 42 and 43, Block 85, "Riviera Section Part Three".
10. Lots 1 to 10, inclusive, Block 88, "Riviera Section Part Three".
11. Lots 19 to 24, inclusive, Block 89, "Riviera Section Part Three".
12. Lots 37 to 52, inclusive, Block 91, "Riviera Section Part Three".
13. Lots 1 to 4, inclusive, Block 1, "Singer Subdivision No. Two".

(b) Duplex buildings constructed on the following described property shall be restricted to two (2) stories in height:

1. Lots 14 to 35, inclusive, Block 37, "Riviera Section Part Two".
2. Lots 16 to 32, inclusive, Block 48, "Riviera Section Part Three".
3. Lots 13 to 36, inclusive, Block 49, "Riviera Section Part Three".
4. Lots 1 to 5, inclusive, and Lots 44 to 47, inclusive, Block 85, "Riviera Section Part Three".
5. Lots 11 to 29, inclusive, Block 88, "Riviera Section Part Three".

(c) Apartment buildings constructed on the following described property shall be restricted to two (2) stories in height:

1. Lot 7, Block 2, "Coga Subdivision".
2. Lot 5, Block 4, "Coga Subdivision".
3. Lots 1 to 18, inclusive, Block 89, "Riviera Section Part Three".
4. Lots 1 to 36, inclusive, Block 91, "Riviera Section Part Three".

(d) Apartment buildings constructed on the following described property shall be restricted to two (2) and three (3) stories in height, as per drawings on file in the office of the City Clerk, said drawings having been prepared by Rader & Associates, engineers and architects, and designated as Job No. 4892, dated July, 1962 and noted as being issued by Rader & Associates on January 4, 1963:

1. Tract "A", "Coral Bay Section 'D'" according to Plat Book 76, at Page 69 of the Public Records of Dade County, Florida.

(e) Buildings constructed on the following described property shall be restricted to three (3) stories in height:

1. Lots 1 and 2, inclusive, Block 1, "Coga Subdivision".

2. Lots 6 to 11, inclusive, Block 4, "Coga Subdivision".

3. Tracts "A" and "B", "Singer Subdivision No. Two".

(f) Buildings constructed on Lot 3, Block 81, "Granada Section" shall be restricted to one (1) story in height.

(g) 1. No building or structure shall be constructed or erected on the following described property to a height exceeding three (3) stories, nor shall such building exceed a height of forty-five (45) feet: (2171,2307)

In Section "K"

Lots 1, 2, 3 and 4 in Blocks 8, 9, 18, 19, 26, 27, 35 and 36
Lots 45, 46, 47 and 48 in Blocks 8, 9, 18, 19, 26, 27 and 35.

In Crafts Section

Lots 1,2, 3 and 4 in Blocks 9, 16 and 17
Lots 45, 46, 47 and 48 in Blocks 8, 9, 16 and 17

In Riviera Section Part 14

Lots 8 thru 21, inclusive, in Block 192
Lots 13 thru 40, inclusive, in Block 196
Lots 10 thru 29, inclusive, in Block 206
All Lots in Blocks 206A, 207 and 208

2. No apartment building shall be constructed or erected on the following described property to a height exceeding four (4) stories, nor shall such building exceed a height of forty-five (45) feet: (2307, 2362,2420)

In Riviera Section Part 14

All lots and tracts in Blocks 197, 198 and 199
All lots in Blocks 201 and 202
Lots 3 thru 31, inclusive, Block 203
Lots 4 thru 37, inclusive, Block 204
Lots 4 thru 37, inclusive, Block 205

In Riviera Waterways

Lots 1 and 2 in Block 5

In Addition to Riviera Waterways

Tract "K"

3. No commercial building shall be constructed or erected on the following described property to a height exceeding four (4) stories, nor shall such building exceed a height of forty-five (45) feet. (2307, 2362)

In Callahan Tract

That portion of the Callahan Tract bounded on the North by South Dixie Highway, on the East by Turin Street, on the South by Avenue Madruga and on the West by Mariposa Court.

In Riviera Section Part 8

Lots 1 thru 13, inclusive, Block 148
Lots 1, 17, 26 and 27 in Block 155
Lots 27, 28, 29, 30 and 31 in Block 156
Tract "A"

In Riviera Section Part 14

All lots and tracts in Blocks 197, 198 and 199
All lots in Blocks 201 and 202
Lots 3 thru 10, inclusive and Lots 25 thru 31, inclusive, Block 203
Lots 4 thru 37, inclusive, Block 204
Lots 4 thru 37, inclusive, Block 205

In Riviera Waterways

Lots 1 and 2 in Block 5
Lots 1, 2, 3 and 4 in Block 6

In Addition to Riviera Waterways

Tract "K"

(h) Apartment buildings and/or structures may be erected or altered on the following described property to a height not exceeding six (6) stories nor seventy (70) feet: (2171,2362,-2420)

In Biltmore Section

Lots 3 thru 15, inclusive, in Block 11
Lots 1, 2, 3 and 4 in Block 12
Lots 1 thru 19, inclusive, in Block 13

In Douglas Section

Lots 1 thru 8, inclusive, in Block 1
Lots 1 thru 6, inclusive, in Block 10
Lots 8, 9 and 10 in Block 10
Lots 1 thru 10, inclusive, in Block 18
Lot "A" between Blocks 10 and 18
Lot "B" between Blocks 1 and 10
Lot "C" between Blocks 18 and 27
Lots 1 thru 5, inclusive, in Block 27
Lots 7, 8, 9 and 10 in Block 27
Lots 1 thru 5, inclusive, in Block 34
Lots 7 thru 12, inclusive, in Block 34

In Section "K"

Lots 1 thru 24, inclusive, in Block 1

(i) Commercial buildings and/or structures may be erected or altered on the following described property to a height not exceeding six (6) stories nor seventy-two (72) feet: (2171, 2361,2420)

In Coconut Grove Warehouse Center

Lots 1 thru 27, inclusive

In Industrial Section

Lots 7 thru 21, inclusive, Block 1
Lots 5 thru 38, inclusive, Block 2
Lots 5 thru 38, inclusive, Block 3
Lots 1 thru 38, inclusive, Block 4
All lots and tracts in Blocks 5,6,7,12,13, 14,16 and 17
All of Block 8
Lots 1 thru 11, inclusive, Block 9
Lots 21 thru 46, inclusive, Block 10
All of the Replat of Blocks 10 and 11
Lots 3 thru 39, inclusive, Block 15
All of Block 18, East of a line extending from the Southeast corner of Lot 20 in Block 10, South to the Northeast corner of Lot 3 in Block 15

McFarlane Homestead and St. Albans Park

Tracts "A" and "B" in Block 5
Tract 1

In Riviera Section Part 14

Lots 1,2,32,33 and 34, Block 203
Lots 1,2,3,38,39 and 40, Block 204

Lots 1,2,3,38,39 and 40, Block 205

(j) Apartment buildings and/or structures may be erected or altered on the following described property to a height not exceeding thirteen (13) stories nor one hundred fifty (150) feet: (2172,2420)

In Biltmore Section

All lots and tracts in Blocks 2,3,4,6 and 7
All of Block 8
Lots 4 thru 17, inclusive, in Block 1
Lots 19 thru 32, inclusive, in Block 1
Lots 3 thru 41, inclusive, in Block 10

In Crafts Section

All lots in Blocks 1,2,3,4,5,6,7,10,11,12,15 and 18
Tracts "A" and "B" of Pages Replat of Block 4, Crafts Section
Lots 1 thru 44, inclusive, in Block 8
Lots 5 thru 44, inclusive, in Blocks 9, 16 and 17

In Douglas Section

Lots 9 and 10, in Block 1
All lots in Blocks 2,3,8,9,11,12,13,14,15, 16,17,19,20,21,22,23,24,26,28,29,30,31, 32,33,35,36,37,38,39,40, 41,42,43 and 44

In Revised Plat of Douglas Section Plat Book 34, Page 32

All

In Section "K"

Lots 5 thru 44, inclusive, in Blocks 8,9,18, 19,26,27 and 35
Lots 5 thru 45, inclusive, in Block 36
All lots in Blocks 2,7,10,17,20,25,28,34 and 37

In Section "L"

All lots, blocks and parcels

In Sunrise Harbour

Blocks 3 and 4 and the east 235 feet of Block 5

(k) Commercial buildings and/or structures may be erected or altered on the following described property to a height not exceeding thirteen (13) stories nor one hundred fifty (150) feet: (2171,2420)

In Biltmore Section

Lots 12 thru 34, inclusive, in Block 3
Lots 15 thru 26, inclusive, in Block 4
Lots 1 thru 24, inclusive, in Block 6
Lots 1 thru 23, inclusive, in Block 7

In Crafts Section

Lots 1 thru 44, inclusive, in Block 8
Lots 5 thru 44, inclusive, in Blocks 9, 16 and 17
All lots in Blocks 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 15 and 18
Tracts "A" and "B" of Pages Replat of Block 4

"Crafts Section"

In Douglas Section

Lots 9 and 10 ..... in Block 1
Lots 1 thru 11, inclusive, in Block 2
Lots 1 thru 11, inclusive, in Block 3
Lots 21 and 22 ..... in Block 3

Lots 8, 9, 10 and 11..... in Blocks 9, 11, 17, 19,26, 28, 33, 35 and 40
Lots 8 and 9 ..... in Block 41
Lots 1, 2, 21 and 22 ..... in Block 8
Lots 1, 2, 18 and 19 ..... in Block 12
Lots 1, 2, 10 and 11 ..... in Block 16
Lots 1, 18, 19 and 20 .... in Block 29
Lots 1, 2, 21 and 22 ..... in Blocks 32, 36 and 39
Lots 1 and 2 ..... in Block 42

In Revised Plat of Douglas Section (34/32)

All

In Section "K"

Lots 21, 22, 23 and 24 .... in Block 2
Lots 21 thru 28, inclusive, in Block 7
Lots 20 thru 28, inclusive, in Block 10
Lots 21 thru 48, inclusive, in Block 17
Lots 25 thru 44, inclusive, in Block 18
Lots 5 thru 44, inclusive, in Blocks 19, 26, 27 and 35
Lots 5 thru 45, inclusive, in Block 36
All lots in Blocks 20, 25, 28, 34 and 37

In Section "L"

All lots in Blocks 3, 6, 11, 16, 21, 23, 24, 29, 30, 31, 32, 33, 38, 39 and Replat of Blocks 32 and 39

In Sunrise Harbour

Blocks 3 and 4 and the East 235 feet of Block 5

(l) Buildings and/or structures used for manufacturing purposes may be erected or altered to a height not exceeding three (3) stories nor forty-five (45) feet in height on the following described property to wit: (2171)

In Industrial Section

Lots 7 thru 21, inclusive, in Block 1
Lots 5 thru 38, inclusive, in Block 2
Lots 5 thru 38, inclusive, in Block 3
Lots 22 thru 38, inclusive, in Block 4
Lots 44 thru 63, inclusive, in Block 5
Lots 12 thru 22, inclusive, in Block 6
All lots and tracts in Blocks 7, 12, 13 and 14
All of Block 8
Lots 1 thru 11, inclusive, in Block 9
Lots 21 thru 46, inclusive, in Block 10
All of the Replat of Blocks 10 and 11 less East one hundred ten (110) feet
Lots 4 thru 39, inclusive, in Block 15
All of Block 18, East of a line extending from the Southeast corner of Lot 20 in Block 10, South to the Northeast corner of Lot 3 in Block 15
Tracts "A", "B" and "C" of Replat of Block 16
Lots 1 thru 83, inclusive, in Block 17

In Coconut Grove Warehouse Center

Lots 1 thru 27, inclusive

McFarlane Homestead and St. Albans Park

Tracts "A" and "B" in Block 5
Tract 1

(m) Buildings constructed on Lot 12, less that part described as beginning at the Southwest corner, thence run Northerly along the West line of said lot, to the Northwest corner, thence Easterly along the North line of said lot 7.13 feet, thence Southwesterly 110.21 feet of the POB, all of Lot 13 and the East 20 feet of Lot 14, Block 8, Section "B" are not to exceed a height of 44 feet.

(n) A multi-story building, thirteen (13) stories in height, as per submitted plans, for use as an office building may be constructed on Lots 1, 2, 3, 4, 33, 34, 35 and 36, Block 20, "Crafts Section," Coral Gables, Florida, according to Plat Book 10, Page 40 of the Public Records of Dade County. (1726)

(o) A multi-story building approximately one hundred fifteen (115) feet in height, consisting of seven (7) floors of general offices, with the erection of a penthouse on top of such building, may be constructed on Lots 39 to 48, inclusive, Block 27, Section "K", Coral Gables, Florida, according to Plat Book 8, Page 33 of the Public Records of Dade County, Florida.

(p) A multi-story building, five (5) stories in height, approximately sixty (60) feet in height, having no penthouse, with two (2) monitors over the elevator shafts and stairways an additional four (4) feet in height, plus construction of antenna not to exceed forty (40) feet above roof level, for use as the first unit of the Institute of Information Sciences of the University of Miami, may be constructed upon "A Portion of Tract Two, Part of 67.27 plus or minus Acres, University of Miami Main Campus," Coral Gables, Florida.

(q) A multi-story building, four (4) stories in height, with an overall height of approximately sixty-seven (67) feet consisting of a penthouse, comprising twenty-four percent (24%) of the roof area and extending approximately thirteen (13) feet above roof level, for use as Science Building, may be constructed on the University of Miami Main Campus between the Computer Building and the Engineering School upon "A Portion of Tract Two University of Miami Main Campus," Coral Gables, Florida, according to the plat thereof recorded in Plat Book 46, Page 81 of the Public Records of Dade County, Florida.

(r) Radar dome antenna which will increase the height of the present multi-story building, nine (9) stories in height and used as a Library for the University of Miami, by eighteen feet five inches (18' 5"), may be erected on top of the smokeproof stair tower of said Library as a correlation to the function in the Institute of Information Science Building; located on "A Portion of Tract Two, Part of 67.27 Acres plus or minus, University of Miami Main Campus."

(s) A multi-story building, seven (7) stories in height, intended to be used as a dormitory building for the University of Miami, and located on the East side of the existing dormitory building, may be constructed upon "A Portion of Tract Three (3)

University of Miami Main Campus", Coral Gables, Florida, according to Plat Book 46, at Page 81 of the Public Records of Dade County, Florida.

(t) A structural addition, having a tower and cross of approximately sixty-eight (68) feet in height, to the First Methodist Church of South Miami may be constructed on Lots 1 to 5, inclusive, Lots 36 to 40, inclusive, Block 196, "Riviera Section Part Fourteen", Coral Gables, Florida, according to Plat Book 28, Page 32 of the Public Records of Dade County, Florida.

(u) That portion of a single family residence located above the garage in the coastal flood hazard district may be two (2) stories in height subject to the following conditions and restrictions: (2396)

1. That elevation of the garage floor shall not be more than six (6) inches above established grade.

2. That the area of the garage shall not exceed a gross floor area of more than six hundred (600) square feet including any service or storage areas located within the garage; and

3. That the residence shall not exceed a height of forty-three (43) feet above established grade including, ridgeline, domes, steeples, towers and such other similar structures. (2451)

SECTION 9.04 FRONT ENTRANCES REQUIRED. All units upon the ground floor of any building in C Use Districts shall be required to have a front entrance. (2061).

SECTION 9.05 EXTERIOR WALLS - MATERIAL AND COLOR. All exterior walls of buildings shall be constructed of concrete, glass block, poured concrete, stone, hollow tile, coral rock or clay brick providing, however, that in areas zoned for C and M Uses porcelain enamel panels, metal panels, pebble-faced block, pebble-faced panels, precast panels and architectural concrete may also be used for exterior walls of buildings designed and used for commercial purposes with the express condition that such materials are approved by the Board of Architects, the Building Official and Structural Engineer. All exterior masonry surfaces shall be stuccoed and painted excepting those of coral rock, stone, glass, clay brick, slump brick, pebble-faced block, pebble-faced panels, precast panels, and architectural concrete. Wood facings shall not be permitted on exterior walls. Sunscreens on commercial buildings may be constructed of masonry, metal, glass or plastic where such materials are located in a metal or masonry frame providing that such sunscreens shall be subject to approval by the Board of Architects for architectural design. All exterior coloring shall be approved by the Board of Architects.

(1) Wood Facings. Wood facings shall be permitted on the exterior walls of single family residences in that area of Coral Gables lying south of the Coral Gables Deep Waterway and east of Old Cutler Road, subject to the following conditions and restrictions: (2143)

(a) That the exterior walls are constructed of masonry.

(b) That the walls are furred to provide natural air space and moisture control.

(c) That the wood utilized for such wood facings shall be those conducive to salt-sea atmosphere and shall be limited and restricted to the following species:

(1) Solid select heart cypress
(2) Solid heart mahogany
(3) Solid heart teak
(4) Solid heart cedar
(5) Clear vertical grain heart redwood

(d) That where wood facings over masonry walls are approved, the exterior face of all masonry shall be completely and thoroughly covered with one apllication of black asphaltum waterproofing.

(e) That all blocking and furring strips shall be pressure treated.

(f) That all wood facings shall be secured to furring and/or blocking with stain resistant nails.

(g) That the wood facing material shall have a minimum thickness of three-fourth (3/4) inches and shall not be wider than twelve (12) inches.

(h) That all applications and detail of wood facings shall be subject to the approval of the Board of Architects.

(i) That stains applied to the wood shall be specifically for exterior use and shall be limited to colors approved by the Board of Architects.

(2) "Stonehenge" may be used as a facing for commercial buildings. (1929)

SECTION 9.06 ROOFS.

(1) Except on Lots 1 through 18, inclusive, Block 89 and Lots 20 through 36, inclusive, Block 91, all being in "Riviera Section Part Three", where all roofs shall be constructed of tile, flat roofs without a parapet will be permitted upon buildings subject to restrictions noted hereinafter:

(a) Over porch or room additions within the "L", "T" or "U" of an existing R, D or A Use building having all tile roofs provided:

1. A tile roof is not practical, as shall be determined by the Board of Architects.

2. The existing building has been constructed a minimum of three (3) years.

3. The addition shall not exceed fifteen (15) percent of the ground area of the existing building.

4. The addition is not visible from the front elevation of the building on an inside lot, or is not visible from the front or side street elevations on a corner lot.

(b) Over one-story rooms in the rear of a two-story residence, duplex or apartment on inside lots, or over one-story rooms in the rear of a two-story residence, duplex or apartment where the room is not visible from the front or side street elevation on corner lots, providing in all cases some type of metal or masonry railing, as shall be approved by the Board of Architects is installed upon such flat roof.

(c) In M-Use Districts where the roof is constructed entirely of non-combustible materials.

(d) On boat houses, provided some ornamental railing, design or other treatment, as shall be approved by the Board of Architects, is placed upon such flat roof.

(e) Over meter rooms elevator towers, elevator machinery and equipment rooms, stair towers, and air conditioning rooms in C-Use Districts where the roof is constructed entirely of non-combustible materials.

(f) Over one-story areas or rooms of a two-story Colonial building, as shall be approved by the Board of Architects to be in harmony with the architecture of the building, provided some tupe of metal or masonry railing, as shall be approved by the Board of Architects, is installed on such flat roof.

(g) On buildings located on the University of Miami Main Campus, as shall be approved by the Board of Architects to be in harmony with the adjacent and surrounding campus buildings. (2040)

(2) Except on Lots 1 to 18, inclusive, Block 89 and Lots 20 to 36, inclusive, Block 91, all being in "Riviera Section Part Three" where all roofs shall be constructed of tile, flat roofs with a parapet (minimum eight (8) inches thick and eighteen inches (18") above the roof at all points) shall be permitted upon the following buildings subject to restrictions noted hereinafter.

(a) Over porch or room additons within the "L", "T" or "U" of an existing R or D Use building having all tile roofs provided:

1. A tile roof is not practical as shall be determined by the Board of Architects.
2. The existing building has been constructed a minimum of three (3) years.
3. The addition shall not exceed fifteen (15) percent of the ground area of the existing building.
4. The addition is not visible from the front elevation of the building on an inside lot, or is not visible from front or side street elevations on a corner lot.

(b) Over one-story rooms in the rear of a two-story residence or duplex on inside lots, or over one-story rooms in the rear of a two-story residence or duplex where the room is not visible from the front or side street elevation on corner lots.

(c) Over boat houses.

(d) Upon buildings designed and devoted to A Uses.

(e) Over one-story areas or rooms of a two-story Colonial building as shall be approved by the Board of Architects to be in harmony with the architecture of the building.

(f) On additions to existing buildings having a flat roof with a parapet.

(g) On buildings located on the University of Miami Main Campus, as shall be approved by the Board of Architects to be in harmony with the adjacent and surrounding campus buildings. (2040)

(3) Except upon motels where all roofs shall be constructed of tile, flat roofs with a parapet (minimum eight inches (8") thick and eighteen inches (18") above roof at all points, provided, however, that where the height of the building and other attendant and connected circumstances and features of said building justify a lesser height, such parapet wall may be as low as six inches (6") at any point above the roof) shall be permitted upon commercial buildings in a CA, CB, CC and M Use zone where the roof is constructed entirely of non-combustible materials.

(4) Except in "Golden Gate", "McFarlane Homestead" and "St. Alban's Park", "Coconut Grove Warehouse Center", that part of the "Industrial Section" abutting South Dixie Highway (U.S. #1 Highway), and where plastic or glass translucent material is used as permitted elsewhere in this section, pitched roofs shall be constructed of:

(a) Vitrified clay tile.
(b) White concrete tile. The finished surface for white concrete tile shall be a mixture of one part Portland white cement to three parts white silica sand, together with a water-proofing and plasticisor ad-mix. These ingredients shall be mixed with water to a consistency equal to that of a finishing coat of plaster. The mix thus obtained shall be pressure troweled onto the surface of the freshly extruded tile at the time of manufacture. (2156, 2216, 2429)

(c) Colored cement tile, provided the tile is color impregnated with the same color intensity throughout and the color is not surface applied, and, provided the color meets with approval of the Board of Architects, taken in conjunction with the surrounding areas. Such colored cement tile roofs which have been installed according to approved plans may be painted or repainted the same color as the originally installed tile subject to approval of the application and the paint specifications by the Board of Architects. (1518, 2156, 2395)

(d) Coral rock slabs laid shingle fashion.

(e) Thick butt variegated colored slate as approved by the Board of Architects.

(f) White Bermuda Roof, as approved by the Board of Architects, and the Building and Zoning Department, with a minimum pitch of not less than five (5) inches in twelve (12) inches.

(g) Where there exists a pitched roof of other material that was permitted at the time of the original construction, additions to or replacements to said building may use the same material.

(h) Roofs on accessory or auxiliary buildings shall conform to the roof requirements for the principal building provided, however, that bomb shelters and/or fallout shelters may be constructed with a flat roof provided that the maximum height of such shelters shall not exceed four (4) feet above grade.

(i) Copper may be used as a roofing material for residences subject to approval of design, manner of installation, conformity with the architectural design, style and composition of the proposed residential structure as shall be approved by the Board of Architects. (2395)

(j) Monier Monray roof tiles with surface applied cement glaze under the manufacturers process, provided that the color meets with the approval of the Board of Architects taken in conjunction with the surrounding area and provided further that the tile cannot be painted or repainted. (2446)

(5) In "Golden Gate", "Macfarlane Homestead" and "St. Alban's Park", "Coconut Grove Warehouse Center" and that part of the "Industrial Section"

abutting South Dixie Highway (U.S. #1 Highway), pitched roofs may be covered with roofing material meeting the requirements of Class "A" or "B" specifications of the Underwriters' Laboratories, Incorporated.

(6) All flat roofs constructed pursuant to this section shall have coverings of approved standard quality, such as concrete, gypsum, tile, built-up roofing of tar and paper, or tar paper and gravel, asbestos roofing, or of like grade, which would rank as Class "A" or "B" under test specifications of the National Board of Fire Underwriters.

(7) Any plastic or glass translucent material or flat aluminum material, as approved by the Board of Architects and the Board of Adjustment may be used as a roof covering on screened enclosures or screened porches of residences providing it does not extend out from the outside wall of the building more than six (6) feet including any existing roof overhang, and further provided it is not visible from the street; however, Foil-Glas is permitted as a roof covering on screened enclosures for residences provided the color of such Foil-Glas is approved by the Board of Architects, and the panels are formed of perforated aluminum foil laminated between two layers of fiberglass with a minimum thickness of finished sheet of 0.090 inches and to weigh 12 ounces per square foot with a maximum pitch of two (2) inches in twelve (12) feet. (1717, 1771, 2300)

Alsynite flat fiberglas panels (12 oz. per sq. ft. weight), may be used as a roof covering on screen enclosures for residences. (1918)

(8) Nothing contained in this section shall be construed as prohibiting the construction of skylights in roofs provided that such skylights comply with the following conditions and restrictions: (2041, 2301)

(a) The size, location and architectural design of such skylights shall be subject to approval by the Board of Architects.

(b) The structural design of such skylight shall be subject to approval by the Structural Engineer.

(9) The roofs of all buildings constructed upon Lots 1, 2, 3, 6 and 7, Block 4, French Village shall be pitched and constructed of tile pursuant to Section 9.06 (4) (a) or (4) (c). (1737)

SECTION 9.07 UNCOMPLETED BUILDING. No building not fully completed in substantial compliance with plans and specifications upon which building permit was issued, shall be permitted to be maintained on any land in Coral Gables for more than six (6) months after the commencement of erection of such new building, except upon special permit granted by the City Commission, and only for such period as it may prescribe.

SECTION 9.08 SERVICE STATIONS. That the construction and/or reconstruction of service stations shall comply with the following minimum requirements: (1990, 2310)

(a) A service station shall not be constructed and/or reconstructed anywhere within the City of Coral Gables except upon property which is zoned "CC" or "M" Uses, providing; however, that a service station located in a "CB" Use District may be reconstructed provided that the plans comply in all respects with the provisions set forth herein and provided further that the number of pump islands shall not exceed two (2) and the number of service bays shall not be increased.

(b) Service station sites shall have a minimum street frontage of one hundred twenty (120) feet and a minimum area of 12,000 square feet. Service stations which presently exist on sites less than required by this section may be reconstructed with the provision that the capacity of the new station does not exceed the capacity of the existing station.

(c) The minimum floor area of a service station shall be as set forth under Section 5.07 of this code.

(d) The service station building, including the canopies and auxiliary use buildings and structures, shall not exceed a maximum lot coverage of 40% of the area of the service station site.

(e) The roof over a service station and auxiliary buildings shall be of tile, pitched and shall extend from the station over the gasoline pumps.

(f) Where an automobile service station site is located at the intersection of two streets, the entrances and exits to the service bays shall not be located on the front elevation of the building.

(g) All pump islands shall be delineated by curbs.

(h) Pump islands shall not be located closer than fifteen (15) feet to a street right-of-way line.

(i) The service station building shall have the following minimum setbacks:

(1) Front Set-back	40' Minimum
(2) Side Set-back	10' Minimum
(3) Side Street Set-back	30' Minimum
(4) Rear Set-back	10' Minimum

(j) The canopies over the driveway and pump islands shall have the following minimum setbacks:

(1) Front Set-back	5' Minimum
(2) Side Set-back	10' Minimum
(3) Side Street Set-back	5' Minimum
(4) Rear Set-back	10' Minimum

(k) Where such service station sites abut an "R", "D" or "A" Use District, a solid four (4) foot high wall shall be constructed along the property lines abutting the "R", "D" or "A" Use District.

(l) All service station sites shall comply with the following minimum landscaping requirements:

(1) Not less than 10% of the service station site shall be landscaped.

(2) Each landscaped area shall have a minimum dimension of five (5) feet with a minimum area of one hundred (100) square feet.

(3) A five (5) foot minimum landscaped strip shall be provided along the front and side street right-of-way line except for openings in the driveways.

(4) A five (5) foot minimum landscaped strip shall be provided along the rear and side property lines.

(5) All landscaped strips shall be delineated by curbs.

(6) The trees, shrubbery, hedges, vines, ground covers and other plant material for the landscaped areas shall be in accordance with the specifications and requirements of the Board of Architects.

(7) To accomplish the landscape requirements as set forth herein, a landscape plan prepared by a landscape architect shall be submitted to the Board of Architects for approval. The landscape plan shall designate the location of the landscaped areas, designate the name and location of the plant material to be installed and the location of the sprinklers and water outlets.

(8) The landscaped areas shall be installed and maintained in accordance with the provisions as set forth under Section 8.04 (4) of this code.

(m) Not more than two (2) driveways shall be permitted from the front street to the service station.

(n) Any two (2) driveways connecting with a single street shall be separated by an island area. The side of the island next to and parallel to the abutting street shall be located at the property line and such island shall have a minimum length at the property line of not less than twenty (20) feet.

(o) Where the building site abuts property zoned for "R", "D" or "A" Use, not more than one (1) driveway shall be permitted from a side street to the service station.

(p) The maximum width of any one (1) driveway shall not be greater than thirty-five (35) feet.

(q) No driveway shall encroach upon curbs or pavement radii at intersections.

(r) No driveway shall cross reserved corner sight distance areas.

(s) The edge of the driveway shall be located not less than ten (10) feet from a side street right-of-way line.

(t) The driveways and service area adjacent to the service station building and pump islands shall be paved with poured concrete.

(u) All paving shall be graded to provide for drainage on the service station site.

(v) Except as provided for under Section 2.06 hereof, no automobile service station shall be permitted to perform mechanical, electrical, body or upholstery repairs upon vehicles.

(w) All lubrication and greasing equipment, washing equipment, hydraulic lifts and service pits shall be located within the automobile service station building.

(x) Service stations shall not be permitted to engage in the selling or rental of cars, trucks and utility trailers.

(y) Parking, loading or servicing of vehicles shall not be permitted on the public right-of-ways abutting the service station site.

(z) Racks for display of tires, batteries, and etc. shall not be displayed or stored outside of the principal building, providing that this prohibition shall not apply to oil can storage racks located at pump locations.

(aa) No service station shall be permitted to store vehicles or to be used as an off-street parking lot.

(bb) No service station shall be permitted to engage in the selling or dispensing of packaged foods, breads, eggs, milk, candy, snacks, tobacco and other similar convenience goods, provided, however, that this exclusion shall not prohibit the use of vending machines for soft drinks, snacks, cigarettes, milk, ice and etc. when such vending machines are located within the confines of the service station building excluding the attendant control area.

(cc) Each service station shall provide one (1) off-street parking space for each two (2) employees with a minimum of two (2) employee spaces plus one (1) space for each service bay.

(dd) The illumination upon any service station site shall have the source of light concealed from view from the exterior of the building site, except that where channel letters or figures are used for any sign, the illumination, thereof, may be visible if recessed within the depth of the channel. Intensification of illumination shall be approved by the Electrical Inspector of the City of Coral Gables. No intermittent or flashing illumination shall be permitted.

(ee) The approval of the plans for construction, reconstruction or alteration of a service station and the issuance of building permits shall be in accordance with Section 11 of this code.

SECTION 9.09 SWIMMING POOLS.

(a) Swimming pools shall conform to the minimum structural requirements as required by the Building Code of The City of Coral Gables.

(b) Design and sanitation requirements shall meet the requirements of the Building Code of The City of Coral Gables and the State Board of Health. All plans for swimming pools which require approval by the State Board of Health shall be stamped with the approval thereon of said Board prior to such plans being submitted to the City of Coral Gables for a building permit.

(c) The total maximum ground coverage of the main building, auxiliary buildings or structures, including swimming pools, shall be in conformity with the provisions of this Code.

(d) Setback: See Section 6.05 of Ordinance No. 1005, entitled "Setback Requirements — Swimming Pools".

(e) Protective fence and/or wall: Unless the pool is entirely screened in, it must be surrounded by a protective wall or fence four feet (4') in height, to comply with existing ordinance for walls and fences and provided, further, that in all cases where a swimming pool is constructed which will be visible from a street, a four foot (4') wall shall be erected upon the premises between the street and the swimming pool.

(f) Gates in the protective fence and/or wall required by the Zoning Code shall be the spring lock type, so that they shall automatically be in a closed and fastened position at all times. Gates shall also be

equipped with a safe lock and shall be locked when the swimming pool is not in use.

SECTION 9.10 WALLS AND FENCES IN PUBLIC UTILITY EASEMENT AREAS. Every permit for the erection of a wall or fence in any public utility easement of record shall provide that it is subject to revocation. Each such wall or fence shall be constructed subject to the conditions that the said wall or fence shall be removed by the owner at any time on request of utility company requiring the use of the space for utility purposes, and that if the owner of such property fails to so remove such wall or fence after request and notice, the utility company or the City may remove such wall or fence at the property owner's expense. (2111)

SECTION 9.11 WALLS AND FENCES – MATERIALS AND SPECIFICATIONS. (1775)

(a) Walls may be constructed of the following materials:
1. Coral rock
2. Concrete block stuccoed on both sides with concrete cap
3. Slump or adobe brick
4. Precast concrete
5. Used red brick, limed red brick or cement brick painted white, provided the design thereof shall first be approved by the Board of Architects.

(b) (1) Wire fences may be constructed of the following materials:
a. Aluminum chain link
b. Galvanized steel chain link
c. Vinyl coated galvanized steel chain link in the following colors only: dark green, forest green, turf green, and aqua
d. Aluminum or galvanized steel single or double looped ornamental type fence.

(2) The construction of wire fences shall meet the following specifications:
a. The wire used in construction of such fences shall be of not less than 11 gauge or equal, except that one inch (1") chain link fences may be 12½ gauge.
b. Terminal posts shall be aluminum or galvanized steel pipe of not less than two inches (2") outside diameter or reinforced masonry columns of not less than four inches (4") square.
c. Aluminum or galvanized steel angles may be used as intermediate supports.
d. All terminal posts and intermediate supports shall be set in concrete, and all terminal posts shall be properly braced when installing any ornamental type fence.
e. Top rail, if used, shall be aluminum or galvanized steel pipe not less than one and three-eighth inches (1⅜") outside diameter; and where top rail is not used, terminal posts shall be properly braced with aluminum or galvanized steel pipe.

(c) Ornamental wrought iron, ornamental aluminum, cast iron or cast aluminum fences shall be permitted provided the design thereof shall first be approved by the Board of Architects.

(d) Wood fences shall be permitted on Santa Maria Street.

(e) Wood picket fences shall be permitted on residential lots in "Golden Gate", "MacFarlane Homestead" and "Coconut Grove Warehouse Subdivision", subject to the following conditions:
1. Such fences shall be of cedar, cypress or redwood, with four inch by four inch (4" x 4") terminal posts, two inch by four inch (2" x 4") intermediate posts, wood rails and pickets one inch (1") thick. Pickets shall be placed so as to provide a space between of not less than one-half (½) the width of the picket.
2. All such fences shall be painted on each side with an appropriate and harmonious color, and shall be maintained and kept in repair by replacing all rotting wood. Construction and painting shall be completed within a reasonable time after issuance of permit therefor, to be determined by the Building Official.

(f) Walls constructed or erected on the following described lots shall conform with the existing walls in the respective blocks: (1995)
1. Lots 1 through 12, inclusive, Block 4, "French Village".
2. Lots 11 through 16, inclusive, Block 6, "French Village".
3. Lots 1 through 11, inclusive, Block 100, "Riviera Section Part 2".
4. Lots 1 through 20, inclusive, Block 145, "Riviera Section Part 9".
5. Lots 1, 2, 3 and 4, Block 267, "Riviera Section Part 11".
6. Lots 1 through 9, inclusive, Block 244, "Riviera Section Part 12".

SECTION 9.12 WALLS, FENCES, SHRUBBERY AND HEDGES – HEIGHT.

1. No wall, fence, shrubbery or hedge over three (3) feet high above established grade shall be located or placed within twenty (20) feet of an intersection of two or more public rights-of-way lines or the official right-of-way lines projected to an intersection (see Figure 1) or within twenty (20) feet of the edge of a driveway leading to a public right-of-way (see Figure 2). Trees located within or overhanging these areas will be allowed providing that the limbs or foliage are pruned to allow clear visibility between heights of three (3) feet and six (6) feet above the established grade. The limitation on the height of walls, fences, shrubbery and hedges located within twenty (20) feet of the edge of a driveway leading to a public right-of-way shall not apply in cases where such property does not abut upon a city sidewalk provided, however, that the height of such wall, fence, shrubbery or hedge shall comply with the provisions as set forth hereinbelow under Paragraph 2. of this section (see Figure 3). (2289)

2. No other wall or fence shall be permitted over four (4) feet high from the established grade, or over four (4) feet high from actual ground level at such wall or fence, whichever is higher, except in the following cases: (1573, 1873, 2289)

(a) Wing walls, hereby defined as a wall or walls which extend from a building to or toward the property line, parallel to and in line with the front of said building, may exceed four feet (4') in height in R, D, and A Use Districts, provided the design and height thereof shall first be approved by the Board of Architects.

(b) Subject to the prior approval of the City Manager, concrete block, stuccoed or natural stone walls or chain link type wire fences may be erected to a maximum height of seven feet (7') upon property

SECTION 9.12: SITE DISTANCE FOR LANDSCAPING ADJACENT TO INTERSECTIONS

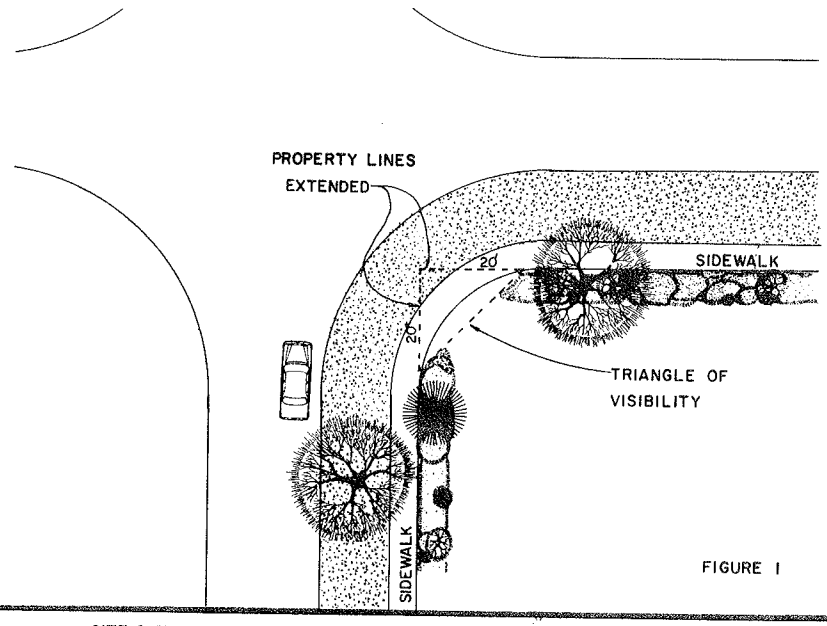


FIGURE 1

SITE DISTANCE FOR LANDSCAPING ADJACENT TO DRIVEWAYS

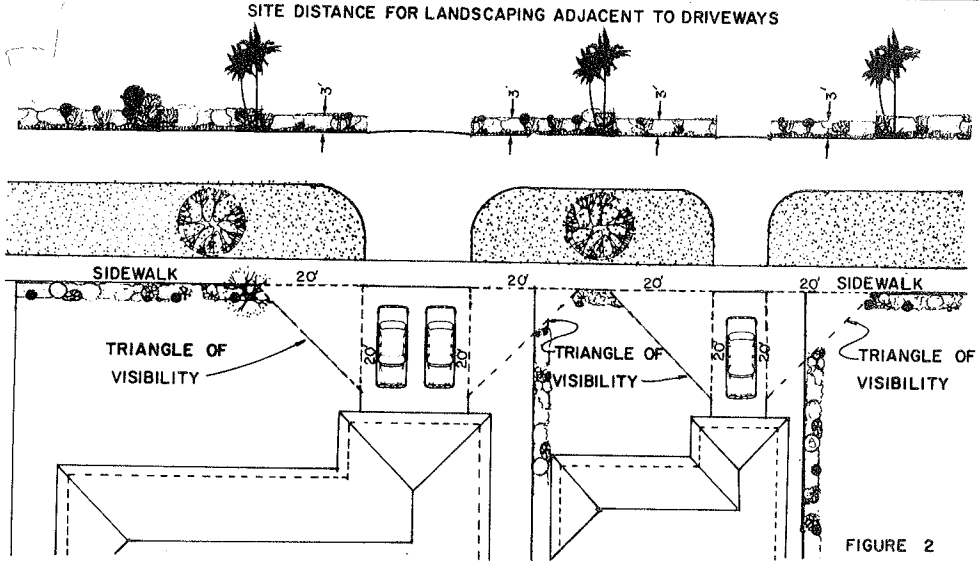


FIGURE 2

SITE DISTANCE FOR LANDSCAPING WHERE THE PROPERTY ABUTS A CITY PARKWAY AND WHERE THERE IS NO CITY SIDEWALK

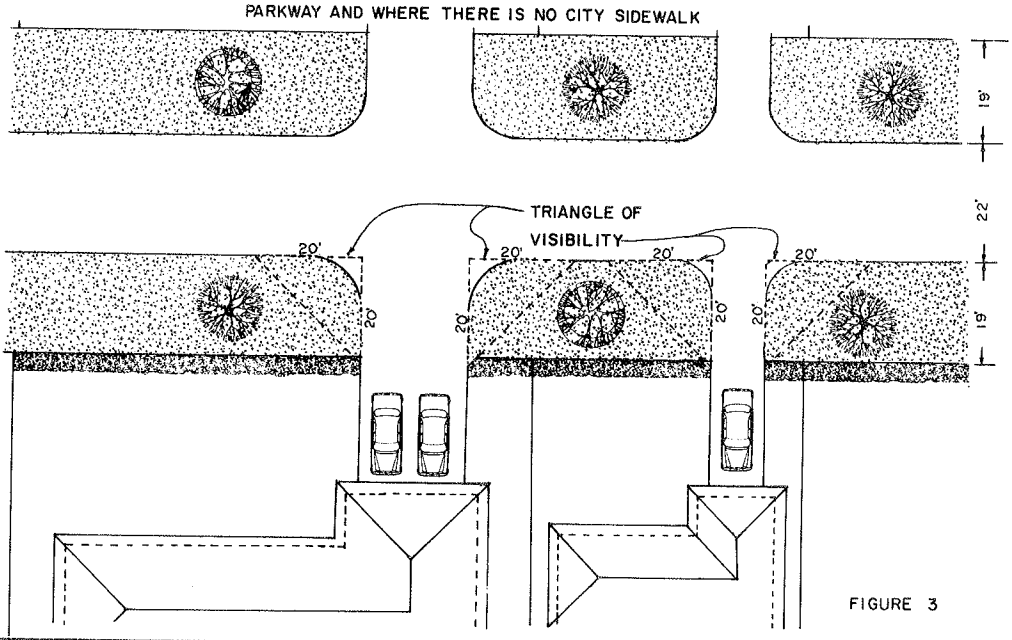


FIGURE 3

lines abutting Red Road of all lots facing or abutting upon Red Road from Coral Way to Southwest Eight Street in cases where such walls or fences do not, in the opinion of the City Manager, create a hazard to pedestrian or vehicular traffic.

(c) Walls confined completely within a "U" of a residence, duplex or apartment may exceed four feet (4') in height in R, D and A Use Districts provided, however, the design and height thereof shall first be approved by the Board of Architects. (1873)

(d) Walls in connection with residences, duplexes or apartments in R, D and A Use Districts not included in paragraph (c) above, may exceed four feet (4') in height, provided such walls meet the set-back requirements for screened enclosures, and provided further that the enclosured ground area covered by the walls, the auxiliary buildings and the main buildings does not exceed forty-five percent (45%) of the enclosed area of the site and provided the design and height thereof shall be approved by the Board of Architects. (1518, 1873)

(e) Ornamental wrought iron, cast iron and/or aluminum fences may be erected to a maximum height of six feet (6') subject to the location and design thereof being approved by the Board of Architects. (1873)

(f) Ornamental wrought iron, cast iron and/or aluminum fences may be erected on top of a masonary wall provided that the height of the masonary wall shall not exceed four feet (4') and the maximum height of the wrought iron, cast iron, aluminum and masonary wall shall not exceed six feet (6') and provided that the location and design thereof shall be approved by the Board of Architects. (1873)

(g) Walls consructed or erected on the following described lots shall conform with the height of the existing walls in the respective blocks: (1995)

1. Lots 1 through 12, inclusive, Block 4, "French Village".
2. Lots 11 through 16, inclusive, Block 6, "French Village".
3. Lots 1 through 14, inclusive, Block 100, "Riviera Section Part 2".
4. Lots 1 through 20, inclusive, Block 145, "Riviera Section Part 9".
5. Lots 1, 2, 3 and 4, Block 267, "Riviera Section Part 11".
6. Lots 1 through 9, inclusive, Block 244, "Riviera Section Part 12".

(h) Wire fences constructed in the Industrial Section may be erected to a maximum height of eight feet (8'). Not more than three (3) strands of barbed wire may be attached to the top of such eight foot (8') high fence at a 45° angle facing toward the inside of the property. (2042)

SECTION 9.13 WALLS AND FENCES - LOCATION. All types of masonary or coral rock walls may be erected anywhere upon any premises, provided that the design thereof shall first be approved by the Board of Architects. (2042)

Wire fences may be erected at the following locations on any premises in "R", "D", "A" and "S" Use Districts:

(a) On lots that are not corner lots as defined in this ordinance, wire fences may be erected anywhere along boundaries of a rear yard as defined in this ordinance, or within such rear yard; or along side lot lines from the rear lot line to the front line of building extended to the nearest point in the side lot line, provided that a masonary or coral rock wall connects such wire fence with the building if such wire fence extends farther toward the street than the rear corner of the building closest to the side lot line.

(b) On lots that are corner lots as defined in this ordinance, wire fences may be erected along boundaries of rear or side yards or within such rear and side yards, provided, however, that such wire fence shall not be erected in any yard area where such areas abut upon a street and provided that if such wire fence extends farther toward the street than the side or rear corner of the building closest to the side or rear lot line, a masonary or coral rock wall extending from the building to the rear or side lot line shall be connected to such fence.

(c) Wire fences may be erected in the Industrial Section provided that such wire fences are not located closer than one hundred feet (100') to Bird Road, LeJeune Road or Ponce de Leon Boulevard.

No wire fences may be erected in "C" Use District, excepts as provided for herein above in the Industrial Section.

SECTION 9.14 UTILITY POLES. In R, D or A Use Districts, utility poles and lines shall be placed in rear yard areas reserved for utility uses by easements granted for that purpose. In R, D or A Use Districts having alleys, utility poles shall be placed in a five foot (5') strip in middle of alley where lots on both sides of alley are zoned for R, D or A Uses.

SECTION 9.15 DRIVEWAYS - NEW BUILDINGS. At the time of issuance of a permit for the construction of a building on premises not having a driveway from the property line to the pavement line of the street (and where the normal use and occupancy of such building requires vehicular traffic across the parkway between the street pavement and the property line), the applicant for the permit shall deposit with the City of Coral Gables an amount sufficient to cover the cost of paving a driveway across the parkway between the property line and the street pavement line, conforming to the paving specifications as prepared by the Public Works Department of the City of Coral Gables, and the City shall, if the owner or contractor does not do so, construct such driveway pavement in due course, applying so much of such deposit as shall be necessary for the purpose, and the balance of said deposit remaining, if any, shall be returned to the applicant. (1938, 2094)

SECTION 9.151 DRIVEWAYS - EXISTING BUILDINGS. Where the normal use and occupancy of a premise or building requires vehicular traffic across the parkway between the street pavement and the property line, the owner of record of such premise or build-

ing shall be required to construct and maintain a driveway across such parkway between the property line and the street pavement. The driveway shall conform to the paving specification as prepared by the Public Works Department of the City of Coral Gables. (2094, 2145)

(a) **NOTICE OF PROHIBITED CONDITION.** The City may from time to time inspect all parkways where the normal use and occupancy of a premise or building requires vehicular traffic across the parkway between the street pavement and the property line, and in all cases where said inspection reveals that there does not exist a driveway pavement across the parkway between the propeprty line and the street pavement line or that an existing driveway is in need of repair or replacement, the City Manager shall so notify the record owner or owners of the property described by registered or certified mail, as their names and addresses are shown upon the record of the County Tax Assessor. Such notice shall be deemed complete and sufficient when so addressed and deposited in the United States Mail with proper postage prepaid. In the event that such notice is returned by postal authorities, the City Manager shall cause a copy of the notice to be served by a law enforcement officer upon the occupant of the property or upon any agent of the owner of record thereof.

(b) **FORM OF NOTICE.** The notice shall be in substantially the following form:

NOTICE OF PUBLIC NUISANCE

Name of Owner of Record_____
Address of Owner of Record_____
According to our records, you are the owner of record of

Lots(s)_____Block_____Section_____

An inspection of the parkway at the above property reveals that you do not comply with Section 9.151 of Ordinance No. 1525, as it pertains to:
(1) Paving of a driveway across the parkway, or
(2) Maintaining a driveway across such parkway.

This is to serve as official notice that unless you:
(1) Install a driveway across such parkway between the property line and the street pavement,
(2) Repair the existing driveway between the property line and the street pavement, or
(3) Replace the existing driveway between the property line and the street pavement

within a period of thirty (30) days, the City of Coral Gables may undertake the construction of the necessary driveway paving at the property owners expense; the estimated cost of which will be approximately $_____.

THE CITY OF CORAL GABLES, FLORIDA

_____
City Manager

(c) **CONDITION MAY BE REMEDIED BY CITY.** If within thirty (30) days, after mailing of the notice, or the serving of the notice upon the occupant of the property or any agent of the owner thereof, the condition described in the notice has not been remedied, the Public Works Director may cause the condition to be remedied by the City of Coral Gables at the owner's expense.

SECTION 9.16 DOCKS AND MOORING PILES - CANAL OR WATERWAY. The construction, erection or installation of mooring piles and/or boat docks or similar landing facilities for water craft, in any waterway, canal or lake within the City of Coral Gables, or on land abutting thereon, shall be subject to the following restrictions and regulations: (1591)

(a) No dock, wharfs or similar structure shall be constructed over or in any waterway, canal or lake in the City of Coral Gables or on land abutting thereon which extends more than five (5) feet outward from the bank of such waterway, canal or lake, except as follows: (2357, 2367, 2436)

1. Docks, wharves or similar structures may be constructed over or in the waterways and canals abutting the following lots at a distance extending outward from the property line not more than ten (10) feet:

   Lots 1 thru 9, inclusive, Block 12, Cocoplum Section Two, Plat "A";

   South fifty (50) feet of Lot 5, Lots 6 thru 19, inclusive and the southerly portion of Lot 20, Block 16, Cocoplum Section Two, Plat "C";

2. Docks, wharves or similar structures may be constructed over or in the waterways and canals abutting the following lots at a distance extending outward from the property line not more than twenty-five (25) feet:

   Lots 18 thru 26, inclusive, and the southwesterly portion of Lot 27, Block 13, and Lots 1 and 2 and Lots 5 thru 13, inclusive, Block 14, Cocoplum Section Two, Plat "B".

   Lot 9, Block 15, the westerly portion of Lot 20, Lots 21 and 22, southwesterly portion of Lot 23, northeasterly portion of Lot 25, Lot 26, Lots 32 thru 38, inclusive, Lot 43, southwesterly portion of Lot 44 and Lots 46 thru 52, inclusive, Block 16, Cocoplum Section Two, Plat "C".

   The design of such docks in (a)(1) and (a)(2) above shall be in accordance with plans entitled: "Cocoplum Section Two Typical Dock Plans", dated October 5, 1982, on file in the Office of the City Clerk.

(b) No mooring piles shall be placed or set in the canals, lakes or waterways which shall be located at a greater distance than twenty-five feet (25') from the bank of such water or waterways.

(c) Mooring piles shall be Venetian type, painted and ornamentally capped.

(d) Mooring piles may be set or placed in the

waterway abutting Lots 49 to 57, inclusive, Block 2, "Old Cutler Bay Section 5", at a distance not greater than twenty-five feet (25') from the bank of such waterway. In no other case shall any dock or mooring piles be placed in any waterway within the City at a greater distance from the bank thereof which, when allowance is made for the erection or placing of a dock or mooring piles on the opposite bank at a similar distance from the bank, will leave less than seventy-five feet (75') of open, unobstructed navigable water between such piles, docks and similar structures on the opposite bank. (1926)

(e) No dock extending outward over or in the water from the bank shall be permitted in connection with any lot which a reasonable area along the shore thereof shall be at such level as to provide a natural landing stage or platform for persons embarking on or debarking from boats.

(f) All mooring piles, docks and/or similar structures shall maintain the same minimum setback from the adjacent owner's property line extended as established for the main structure permitted on each building site.

(g) Except as provided for under Section 9.16(d) above, the mooring of boats in canals or waterways shall be forbidden unless such moorings, and similar mooring on the opposite bank, shall leave unobstructed passageway in the canal or waterway of at least seventy-five feet (75') in width. (1926)

(h) Where the width of the canal or waterway permits mooring of boats parallel to the banks, but does not permit the erection of docks or the placing of outer mooring piles, fender or mooring piles may be placed at a distance not greater than eighteen inches (18") from the bank or shore, and such piles shall be Venetian type, painted and ornamentally capped.

(i) A waterline shall be provided for each dock in accordance with the requirements of the City of Coral Gables Fire Department. (2436)

SECTION 9.17 DOCKS AND MOORING PILES - BISCAYNE BAY. The construction, erection or installation of boat docks or similar landing facilities for watercraft, pilings and dolphins on the bayfront edge or in Biscayne Bay within the City of Coral Gables, shall be subject to the following restrictions and regulations:

(a) No docks shall extend more than twenty-five feet (25') from the property line into Biscayne Bay;

(b) All mooring piles, dolphins and/or docks shall set back a minimum distance of twenty-five feet (25') from the adjacent property owner's lot line extended;

(c) No docks, pilings or dolphins may be set until a permit therefor is first granted by the Department of the Army of U.S. Government; and

(d) Mooring piles and dolphins shall not be set more than twenty-feet (20') into the bay from the dock line.

SECTION 9.17.1 MOORING OF BOATS. In single family residence districts, where boats are permitted to be moored in canals or waterways, all boats shall be moored parallel to the property line abutting the waterway. (2468)

SECTION 9.18 BULKHEADS AND RETAINING WALLS. No bulkhead, retaining wall or similar installation along an ocean front, bay, canal, lake or waterway shall be built or constructed within the City of Coral Gables unless such bulkhead, retaining wall or similar installation be constructed of reinforced concrete, pre-stressed concrete or gravity mass nonreinforced concrete, providing, however, that in those canals or waterways west of LeJeune Road and North of Sunset Road, bulkheads and retaining walls may be constructed of concrete block or native stone. All bulkheads and retaining walls shall be subject to the following conditions:

(a) All plans for such bulkheads and walls shall be designed by a registered engineer, qualified under the laws of the State of Florida, to prepare such plans.

(b) All such bulkheads and walls and components shall be designed to meet loads imposed by saturated backfill.

(c) The minimum elevation of such bulkheads and walls shall be plus five and no hundredths (5.00) feet, U.S.E.D Bay Datum.

SECTION 9.19 PLANS AND SPECIFICATIONS. (SEE SECTION 11.08)

SECTION 9.20 APPLICATION. Any person desiring a permit to be issued by the Building Official, as required hereby, shall file an application therefor in writing on a form furnished by the Building Official for that purpose. Each such application shall describe the land on which the proposed work is to be done, by legal description and address; shall show the use or occupancies of the building; shall be accompanied by plans and specifications as required hereafter, shall state the value of the proposed work, shall give such other information as reasonably may be required by the Building Official; and shall be signed by the permittee or his authorized agent, who may be required to submit evidence to indicate such authority.

SECTION 9.21 QUALIFICATION OF APPLICANT. Application for permits will be accepted only from contractors currently licensed in their respective fields and for whom no revocation or suspension of license is pending, provided, however, a sole owner may make application, and if approved, obtain a permit and supervise the work in connection with the construction, maintenance, alteration or repair of a single family residence or duplex for his own use and occupancy and not intended for sale and may make application for, and if approved, obtain a permit for maintenance and minor repairs on any type building. The construction of more than one residence or duplex by an individual owner in any 12-month period shall be construed as contracting, and such owner shall then be required to be licensed as a contractor. Such licensed contractor or owner shall be held responsible to the Building Official for the proper supervision and conduct of all work covered thereby.

SECTION 9.22 Rescinded by Ordinance No. 2410.

SECTION 9.23 Rescinded by Ordinance No. 2410.

SECTION 9.24 Rescinded by Ordinance No. 2410.

SECTION 9.243 Rescinded by Ordinance No. 2410.

SECTION 9.245 Rescinded by Ordinance No. 2410.

SECTION 9.246 Rescended by Ordinance No. 2410.

SECTION 9.25 HEAT PRODUCING APPLIANCES, PERMITS REQUIRED. A permit shall be required to install, repair or alter any heat-producing appliances or piping or flue or accessory thereto and no person, firm or corporation shall commence or proceed with such work without having first made application and secured a permit therefor as set forth herein, except that a permit shall not be required for any fully portable appliance which has no physical connection to piping or flue. Application for permit shall be made to the plumbing inspector for manufactured or natural gas installations, to the Fire Department for liquid petroleum, gas and oil burning installations or the storage of bulk combustibles and to the Building Official for all other heat producing appliances and these persons shall have respective jurisdiction over the apparatus as set forth.

SECTION 9.26 APPROVAL OF BOARD OF ARCHITECTS. (SEE SECTION 11.08)

SECTION 9.27 ZONING CODE. Before any permit is issued, all provisions of the "Zoning Code" of the the City of Coral Gables, and any amendments thereto shall be complied with, and the provisions of the "Coral Gables Building Code" shall not be construed to repeal, supersede or modify any part of the "Zoning Code" or amendments thereto.

SECTION 9.28 MISCELLANEOUS REQUIREMENTS. The following minimum standards shall be required for construction within Coral Gables:

(a) **Wall Studs:**

Minimum bearing or non-bearing interior partition studding shall be 2 x 4 inches with greater dimension perpendicular to the wall surface, provided, however, that studs on non-bearing interior partitions within a room may be placed parallel to the wall surface. (1518)

(b) **Wall Construction:**

All portions of exterior walls, including interior walls of garages, rooms exceeding twenty-five (25) square feet in area which lie within a garage, recessed areas above or below normal tie beams as in carportes or recessed porches, entries or on limited areas, such as gable roof ends, shall be of the same type construction as the main walls of the building and properly topped with tie beams or rakes. (1518)

(c) **Beams:**

All structural supporting beams, including beams on external walls of porches, carportes, loggias, and similar areas shall be of re-inforced concrete or structural steel, provided, however, that pressure treated wood structural members, so stamped and certified will be permitted on entries, loggias and porticos which are not enclosed or intended to be enclosed or screened and where enclosed walls are to be used as vehicular cover. (1518)

(d) **Floor Elevations - Residential:**

Minimum floor elevations of residential, duplex, or multiple-family structures, except as otherwise noted herein, shall be not less than sixteen inches (16") above the average grade of the crown of the abutting street or streets or average grade of the sidewalk as determined by the Building Official, but in no case shall be less than eight feet (8') above M.L.W. USED Bay Datum. Open or enclosed porches and Florida rooms may be eight inches (8") lower than required for the main structure.

(e) **Floor Elevations - Commercial.**

Minimum floor elevations of commercial, industrial structures, private or public garages, cabanas, utility rooms, storage rooms and similar structures shall be not less than six inches (6") above the average grade of crown of the abutting street or streets, and in no case shall be less than six and one-half feet (6.5') above M.L.W. USED Bay Datum. The elevation of floors where alley right-of-ways exist shall be elevated near the alley to a point of six inches (6") higher than the highest point of the alley paving abutting the property. Where alleys or streets have not been improved design grades as furnished by the Engineering Division of the Public Works Department shall apply.

(f) **Floor Elevations — Existing Buildings:**
Floor elevations for additions to existing buildings shall, where practical, meet the requirements above, but in no case shall be less than the floor elevation of the existing structure where such existing floor does not meet the above minimum elevations.

(g) **Yard Elevations:**
Where ground elevations are raised above that of adjoining lots or lots graded to shed water onto adjoining property, a retaining wall or curb and/or drainage ditch or well, subject to the approval of the Building Official, shall be installed to protect said adjoining property.

(h) **Garage and Carport Floors:**
Floors of carports and garages shall be of non-absorbent and incombustible material. (1574)

(i) **Bearing — Joists and Rafters:**
The provisions, rules and regulations, as well as the directions of Dade County, Florida shall be followed in connection with all joists and rafters bearing on wood plates. (1518)

(j) **Miscellaneous Electrical Standards:**
1. Service entrance caps for residences and duplexes shall be located at the corner of the structure nearest the utility pole from which service is obtained.
2. All panels and related service equipment shall be electrically connected at the time the roughing-in inspection is made.
3. Where a meter socket is required to be installed on any new structure, a hose bib shall be installed within ten feet (10′) of such socket or outlet in order to provide an adequate ground for such electrical system.

(k) **Tile Roof Pitch:**
Roof tile shall not be laid on a deck with a pitch of less than 2½ inches in 12 inches. (1518)

(l) **Tents or Detached Screen Structures or Screened Enclosures:** (See: Section 4.13)

(m) **Hazards of Swimming Pools and their Control:**
Whenever it shall come to the attention of the City Manager, either by personal inspection voluntarily made, and which he hereby is authorized to make, or by inspection by said City Manager following complaints that any swimming pool in the City of Coral Gables is so operated as to constitute a hazard to the health, safety and welfare of the citizens of the City of Coral Gables, the said City Manager shall, by registered mail, call attention of the owner or owners of record of the property upon which such swimming pool may be located of the hazard, giving a brief description thereof and requiring such owner or owners within ten (10) days to remedy the condition. Should such owner or owners fail to follow the directions and remove the hazard pointed out by the City Manager, such owner or owners not only shall be liable for the penalties hereinafter set forth, but the said City Manager is authorized, by his agents and employees, to remedy the condition and the reasonable costs thereof shall be a lien against the property upon which such swimming pool is located, handled and collected in the manner prescribed for the collection of liens for special benefits in the Charter of The City of Coral Gables.

(n) **Furring of Walls**
Exterior walls of habitable areas of all buildings, except commercial and industrial structures, shall be furred with standard one inch by two inch (1″ x 2″) pressure treated strips to provide a three-quarter inch (¾″) air space between wall and lath surfaces.

(o) **Foundations**
Foundations of buildings may project on public property, provided such projection shall not exceed six inches (6″) into a public street nor six inches (6″) into an alley, and provided that the top of the foundation is not less than twelve inches (12″) below the established grade of a sidewalk nor less than forty-two inches (42″) below the grade of an alley.

(p) **Minimum Fixtures — Service Stations:**

1. **Male**

Water Closets	Urinals	Lavatories
1	1	1

Female

Water Closets	Lavatories
1	1

2. **Miscellaneous Requirements:**
At least one basket-type floor drain and trap connected to a gas and oil interceptor is required.

(q) **Sinks and Other Similar Facilities:**
Sinks, urinals, water closets and other similar facilities in areas other than the main building on the premises such as, but not limited to, cabanas or additions which are not tied in or directly connected with the main building, shall be permitted provided proper restrictive covenants, approved as to execution and form by the City Attorney, are given. (1518)

SECTION 9.29 LAND CLEARING, FILLING AND EXCAVATION. That before any land located within the City of Coral Gables shall be cleared of trees and other growth, excavated, filled and/or graded, such land shall have been platted or replatted into lots, blocks or parcels for building development in the manner prescribed by the Subdivision Ordinance of the City of Coral Gables and the owner thereof or his contractor shall have applied for and obtained a permit for such work from the Building Department of the City of Coral Gables. The fee for such permit shall be Two Dollars ($2.00) and such fee shall be deposited to the General Fund of the City of Coral Gables as payment for the cost of inspection of such work as it progresses and at its completion. (2221)

SECTION 9.30 POSTING OF BOND. Before any permit authorized herein shall be issued, the owner of the affected property or his contractor shall deposit with The City of Coral Gables that amount which in the opinion of the building inspector and/or the City Manager shall be adequate to reimburse The City of Coral Gables, or any neighboring property owner, for damage which may result to sidewalks, parkways, parkway trees and shrubs, street pavement or other municipal or private property, or improvement from such work and the equipment and materials used in connection therewith, and for the removal of debris or excess material upon the completion of said work, and shall sign an undertaking to The City of Coral Gables to pay the amount of any deficiency between the amount of said deposit and the cost of repairing any such damage or removal of any such debris or excess materials. Upon completion of the work, the building inspector or such other person as may be designated by the City Manager, shall make final inspection and if he shall find that no damage has resulted, and no debris or material remains on the site, the said deposit shall be returned to the depositor, or, if any damage shall be repaired by the

City, or any debris or excess material be removed by the City, and the cost thereof shall be less than the deposit, then the difference between such cost and the amount of the deposit shall be returned to the depositor. Such bonds shall not be refunded until all code requirements are completed including necessary driveways and sidewalks.

SECTION 9.31 RESCINDED BY ORDINANCE NO. 2028.

SECTION 9.32 TRUSSED RAFTERS. The minimum size for upper and lower truss cords in all buildings in The City of Coral Gables shall be two (2) inches by six (6) inches.

SECTION 9.33 SEPTIC TANKS. Any new installations of septic tanks in connection with construction of new structures or additions to existing structures, shall be located and installed in the front or side yards where such structures are located.

SECTION 9.34 RAILINGS ON BALCONIES. The use of redwood, cedar or cypress wood fastened to a continuous metal support shall be permitted as the top handrail only of railings on balconies. Except as provided above, the use of wood for railings or any part of railings on balconies is hereby prohibited. (1747, 2006)

SECTION 9.35 DORMER WINDOWS. The use of wood framed dormer windows shall be permitted on single family and duplex residence buildings subject to the approval of the Board of Architects and the Structural Engineer.

For the purpose of this section, a dormer window is defined as a window set upright in a sloping roof. (1776)

SECTION 9.36 SCREENING OF ROOFTOP EQUIPMENT. Air-cooled condensing and/or compressor equipment, water cooling towers and any other type of mechanical or service equipment or apparatus installed on roofs of all buildings constructed on or after October 1, 1969 shall be screened from view by a parapet or some other type masonry wall or screening as shall be approved by the Board of Architects for architectural design. (1783)

SECTION 9.37 WIND BREAK PANELS. Wind break panels consisting of soft pliable vinyl material installed in extruded vertical sliding frames may be attached to screened enclosure panels and screened porch panels provided that the supporting members of the screened enclosure, screened porch and wind break panels are designed to meet and comply with the wind load and structural requirements of the South Florida Building Code and provided further that when the wind break panels are in an open position the area of the panels shall not exceed twenty-five (25) percent of the area of the screened walls of which they are a part.

The color of the vinyl material shall be approved by the Board of Architects. (1875)

SECTION 9.38 UNITY OF TITLE.

1. GENERAL REQUIREMENTS. As a prerequisite to the issuance of a building permit, the owner in fee simple title shall submit a "UNITY OF TITLE" in recordable form to the Building and Zoning Department providing that all of the property encompassing the building side upon which the building and appurtenances are to be located shall be held together as one tract of land and providing that no part or parcel shall be conveyed or mortgaged separate and apart from the building site, as set forth under the building permit in the following cases, to wit: (2098)
   (a) Whenever the required off-street parking is located on contiguous lots or parcels or is located off site, as provided for under Section 8.04 of this Code.
   (b) Whenever the building site consists of more than one lot or parcel and the main building is located on one lot or parcel and auxiliary or accessory use buildings or structures are located on the remaining lot or parcel comprising the building site.
   (c) Whenever the building site consists of more than one lot or parcel and the main building is located on one or more of the lots or parcels and the remaining lots or parcels encompassing the building site are required to meet the minimum zoning requirements.
   (d) Whenever a building is to be constructed or erected upon a lot or parcel which is larger in frontage, depth and/or area than the minimum required by the Zoning Code and which lot or parcel would be susceptible to further resubdivision in accordance with the Zoning Code and Subdivision Ordinance of the City of Coral Gables.
   (e) Whenever the Board of Adjustment provides that a "UNITY OF TITLE" shall be executed as a condition for the granting of a variance. (2347)
   (f) Whenever a "UNITY OF TITLE" is specifically required by an ordinance or resolution passed and adopted by the City Commission.
   (g) Whenever a building site in any "R", "D" or "A" Use District consists of more than one platted lot. (2347)
2. REQUISITES.
   (a) The owner shall provide a Certificate of Ownership by way of an opinion of title from an attorney-at-law licensed to practice in the State of Florida or from an abstract or title company licensed to do business in Dade County, Florida; said opinion of title shall be based upon an abstract brought up to within ten (10) days of the requirement that such "UNITY OF TITLE" be recorded.
   (b) The opinion of title shall include the names and addresses of all mortgagees and lein holders, the description of the mortgages and/or leins and the status of all real estate taxes due and payable.
   (c) A subordination agreement signed and executed by the mortgagees and or lien holders shall accompany and be made a part of the "UNITY OF TITLE". Failure to obtain a subordination agreement may be deemed a hardship subject to the granting of a variance by the Board of Adjustment. (2347)
   (d) The "UNITY OF TITLE" shall be executed with the same formality and manner as a warranty deed under the laws of the State of Florida.
3. APPROVAL.
   (a) That the "UNITY OF TITLE" shall be subject to approval by the City Attorney as to form and content. (2347)
4. RELEASE. That any "UNITY OF TITLE" required by this section shall not be released except upon approval by resolution passed and adopted by the City Commission and executed by the City Manager and City Clerk. (2300, 2331)

5. RECORDING. That the owner shall pay the fee, as required by Section 2.13.1 of Chapter 2 of the Code of the "City of Coral Gables," for recording the "UNITY OF TITLE" in the Public Records of Dade County.

SECTION 9.39 SOLAR WATER HEATERS AND EQUIPMENT. The erection and/or installation of solar water heaters and equipment in the City of Coral Gables shall be subject to the following conditions and restrictions: (2253)

(a) Collectors located in the same parallel plane of a sloping roof shall be fastened to a maximum of 1¼" x 1/8" metal angles placed directly on the roofing membrane. Surrounding tile shall butt to the edge or side of the collector.

(b) Collectors located in a different plane from the roof shall incorporate an architectural masking device to screen the underside and edge of the collector apparatus from ground view where such collector is visible from the street. Such screening device may be roof planes, mansard roofs, shed roofs, parapet walls, chimneys or such other features as may be approved by the Board of Architects.

(c) Collectors located on a flat roof may be mounted directly upon the roof or may be elevated above the roof provided, however, that all portions of the elevated apparatus are screened from ground view by means of some architectural screening device as provided for under (b) above, and provided further that such screening device shall be approved by the Board of Architects.

(d) Where roof top hot water storage tanks are used they shall be screened from view or shall be incorporated in some architectural feature such as cupolas, chimneys, and etc.

(e) Where collectors are mounted on the ground they shall be screened from view from the abutting streets, and the setbacks for such collectors shall be as required for mechanical equipment.

(f) All piping and other serving utilities shall be concealed from view.

(g) The size, location, attachment and design of solar water heating devices shall be in conformity with the building design and overall neighborhood character.

(h) Adequate architectural details shall be drawn to show the proper installation of the system and particularly the roof mounting and method of attachment and such drawings shall be subject to the approval of the Board of Architects.

10. SIGN REGULATIONS

SECTION 10.01 APPROVAL BY BOARD OF ARCHITECTS REQUIRED. No sign or signs of any kind or character (except as otherwise provided in Sections 10.11 and 10.12 hereof) shall be erected, installed, affixed to or painted on any building or structure, or any part thereof, or upon any valance of any awning within The City of Coral Gables, without the details concerning such sign having first been submitted to and approved by the Board of Architects, as hereinafter provided.

SECTION 10.02 PERMIT REQUIRED. Before the installation, alteration, erection, painting or repainting of any sign shall be commenced, a permit thereof shall first be obtained from the Building Inspector, except in the case of signs permitted under the provisions of Section 10.12 hereof. Details and plans of any sign submitted to and approved by the Board of Architects in accordance with this ordinance shall be considered as a part of the permit issued for such sign, as if the same were fully set out therein, and all work performed under and pursuant to such permit shall be in strict conformity with, and shall not vary from, such approved plans and details. Each application for such installation, alteration, erection, painting or repainting shall be accompanied by the written consent of the owner of the property.

SECTION 10.03 PHOTOGRAPH OR SCALE DRAWING REQUIRED. Every application for a permit to erect, install, affix or paint any sign on any structure or awning within The City of Coral Gables, or to alter or change any existing sign shall be accompanied by two (2) copies of a photograph (minimum size 8" x 10") or scale drawing, showing the elevation of the building or structure upon which the sign is to be placed, with the proposed sign and lettering of the sign superimposed thereon in correct ratio to the scale of the photograph or drawing, and with a notation thereon showing the type and size of lettering to be used and the color or colors of the proposed sign; and no permit therefor shall be issued until such plan, photograph or scale drawing shall have been previously approved by the Board of Architects as herein provided.

SECTION 10.04 PROPORTION. Letters for wall signs or any sign visible from the exterior of the building, that is to say, on the walls, plate glass or other materials, shall be in proportion to the existing space.

SECTION 10.05 SIGN TO BE PARALLEL TO BUILDING, AND NOT ABOVE BUILDING PARAPET. Except as specifically permitted herein, no sign of any type, whether or not the same is an integral part of the building or structure, shall be affixed to or placed upon any building or structure, or upon any cantilever or marquee of any building or structure, except on a theatre or hotel marqee, unless the front face of such sign shall be parallel to the face of the building or structure to which it is affixed or in front of which it is placed. When the front faces of such letters are parallel to the front or face of the building, letters will be permitted upon cantilevers of buildings or structures. No sign, and no letters of any sign, shall be permitted to extend above the parapet of any building or structure except in the "Industrial Section", and there only after plans therefor shall have been presented and approved by the Commission. Notwithstanding

the foregoing provisions, it shall be permissible to affix a hanging sign upon apartment buildings, not to exceed six (6) square feet in size, with the face thereof perpendicular to the face of the building to which it is attached. Only one such sign shall be permitted for any apartment building, or group of apartment buildings operated as one entity.

SECTION 10.06 ILLUMINATION. Except as hereinafter provided in this section, illuminated signs, or illumination in show windows, display windows and displays, in or upon any building or structure, shall have the source of light concealed from view from the exterior of the building or structure, except that where channel letters or figures are used for any sign the illumination thereof may be visible if recessed within the depth of the channel. Intensities of illumination in all cases shall be approved by the Electrical Inspector of the City of Coral Gables before issuance of the sign permit. No intermittent or flashing illumination will be permitted. Hanging exposed neon tubing signs will be permitted on the inside of glass show windows, provided that the size of said signs shall not exceed ten (10) percent of the total glass area where they occur, or 600 square inches, whichever is less. All such signs located within a distance of five (5) feet from any glass show window shall be subject to the above regulations. All exterior electrical outlets for signs shall terminate in a galvanized box with a blank cover, which shall be flush with and not protrude beyond the finished surface of the exterior wall. Transformer boxes and other accessory equipment for any sign shall be placed so that they are not visible from the exterior. Wooden signs shall not have electric lights or fixtures attached to them in any manner. (1520)

SECTION 10.07 NUMBER OF SIGNS ON BUILDING. Subject to the following conditions and restrictions, wall signs will be permitted upon buildings, as follows: (2231, 2255)

(a) COMMERCIAL BUILDINGS. Each separate licensed retail store or service establishment shall be entitled to install, affix or paint the following signs upon the building so occupied, as provided for under Section 10.08 herein:

1. One (1) sign upon the front elevation of the building.
2. Where such building abuts, both a front and side street, one (1) sign may also be located upon the side street elevation of the building.
3. Where the rear of such building abuts an alley or street, one (1) identification sign may be located on the rear elevation.

A curvilinear building located at the intersection of two (2) streets may be permitted to have a sign conforming to the contour of the building in lieu of having one (1) sign on the front elevation and one (1) sign on the side street elevation.

In construing the provisions of this section, signs erected within or upon show windows, cantilevers and marquees shall be considered in computing the number of signs on the building, provided, however, that signs upon show windows, display windows or doors containing letters not exceeding four (4) inches in height shall not be counted in computing the number of signs.

Each such sign shall not be permitted to contain more than one (1) trade name, trade mark or manufacturer of any product sold or handled therein.

Logos, insignias, medallions and trade marks shall not be permitted unless such logos, insignias, medallions and/or trade marks are a part of the sign.

(b) OFFICE AND PROFESSIONAL BUILDINGS. Offices and professional buildings shall be limited to the following signs:

1. One (1) sign which may identify the building name or owner of the building;
2. One (1) directory sign containing the names of individuals, organizations or businesses occupying the building.

Where such office or professional buildings contain retail or service establishments upon the first floor signs may be erected upon such retail or service establishments, as provided for under paragraph (a) above.

(c) INDUSTRIAL BUILDINGS. Licensed businesses located within an industrial building shall be permitted to erect one (1) sign on each street elevation and where the building abuts an alley, one (1) sign on the alley elevation.

(d) APARTMENTS, HOTELS AND MOTELS. Except as provided for under Section 10.09, apartments, hotels and motels shall not be permitted to have more than one (1) sign of any kind, and such sign shall be limited to one showing the name of the apartment, hotel or motel in painted or molded letters, approved by the Board of Architects and installed in conformance with this and other ordinances of the City. No signs advertising a retail liquor store or the sale of alcoholic beverages or intoxicating liquors therein shall be permitted upon the exterior, or to be visible from the exterior of any such hotel or motel.

(e) SPECIAL USE BUILDINGS. Except as provided for under sub-paragraphs (f) and (g) of Section 10.07 of this Code, special use buildings shall be limited and restricted to one (1) sign to be attached, painted or affixed to a wall, cantilever or marquee of the main or principal building. (2354)

(f) UNIVERSITY OF MIAMI. The following signs will be permitted upon buildings on the University of Miami Campus: (2354)

1. One (1) sign which may identify the building name or functions of the building.
2. One (1) directory sign containing the names of various organizations, schools, laboratories, departments and/or activities within the building. Such sign shall initially be subject to approval by the Board of Architects and shall not be installed or erected without a permit, however, subsequent changes in the letters shall not require a permit and shall not be required to be submitted to the Board of Architects for approval, provided there is no change in sign or color.

SECTION 10.08 PLACEMENT OF SIGNS. The owner or tenant of a building shall be permitted to install approved signs identifying a business, product, or service available on the premises on the outside walls of the unit so occupied by the owner or tenant only provided, however, that in lieu thereof the owner or tenant occupying the major portion of a building may be permitted to install one such sign only on the building, as shall be approved by the Board of Architects for location and design. (1874)

All signs attached to a building shall be fastened directly to the walls by well-secured metal anchors in such a manner as to withstand a wind pressure load equal to one hundred fifty (150) miles per hour for a one hour period. No signs shall be erected so as to obstruct any door, window, or fire escape on any building or structure, or so as to obstruct the visibility of any traffic control sign or traffic control signal.

SECTION 10.09 DETACHED SIGNS. Except as provided in Section 10.11 hereof no advertising or other sign, detached from and not affixed to or being a part of a building or structure, shall be permitted within The City of Coral Gables other than as provided in this section. Such signs may advertise or describe or refer to a business or operation conducted upon the building site or premises upon which the sign is erected, only, and only one such sign shall be permitted upon any one such building site or premises. The design of all such signs, other than signs erected upon premises during construction of a building thereon, shall be required to be approved by the Board of Architects prior to the erection of such signs. The advertising matter upon or contents of such signs shall be limited to permanent letters or numerals. Any such sign, except signs erected upon premises during construction of a building thereon, may be illuminated, but if illuminated the source of light shall be concealed from the exterior of the sign unless recessed within the depth of the channel which make up the letters or numerals. No intermittent or flashing illumination will be permitted.

(a) **General.** Detached signs will be permitted only upon premises zoned for commerial or industrial use and facing, abutting and fronting upon U.S. Highway No. 1 (also known as South Dixie Highway) or upon Southwest Eighth Street, and subject to the following conditions and restrictions:

(1) The face of any such sign shall not exceed thirty-two (32) square feet in area; and the top of the face of such sign shall not be more than six feet (6') above the finished grade of the ground, except that:

a. Detached signs, the top of the face thereof being not more than eleven feet (11') above the finished grade of the ground, shall be permitted at the following locations:

(1) Upon premises abutting and fronting upon Southwest Eighth Street and lying east of LeJeune Road; and

(2) Upon premises lying west of LeJeune Road and fronting upon Southwest Eighth Street, where such premises extend as an entity from street to street measured in an east and west direction; and where the building on such premises, or some portion thereof, is at least two stories in height.

b. Detached signs, the top of the face thereof, being not more than twelve feet (12') above the finished grade of the ground, shall be permitted upon premises facing, abutting and fronting upon U.S. Highway No. 1 (also known as South Dixie Highway). (1705)

(2) Foundations shall be of masonry; supporting members shall be of metal or masonry construction; the sign itself shall be metal, masonry or plastic construction; each sign shall be consrtructed so as to withstand winds of 150 miles per hour, and in that respect shall be subject to the approval of the Structural Engineer.

(3) The face of any such sign shall be set back at least five feet (5') from the front or any side property line, except in the case of such signs erected upon premises in Coral Gables abutting and fronting upon Southwest Eighth Street East of LeJeune Road, and upon premises in Coral Gables abutting and fronting upon Southwest Eighth Street West of LeJeune Road which meet conditions and requirements described in subsection (1)a-(2) of this section, where no front setback shall be required; the sign shall be so set and placed that its center line is at a normal to, or is parallel with, the front property line; and both faces of the sign, or the face and the back thereof, shall be parallel to each other.

(4) Each such sign shall be landscaped as approved or required by the City Manager.

(5) Subject to the other applicable regulations and requirements above concerning detached signs, and any other provision of this section to the contrary nowithstanding, detached signs shall be permitted in the following cases and on the following conditions:

a. **Apartment Buildings, Apartment-Hotel Buildings and Hotels.** Detached signs, the face thereof not exceeding six (6) square feet in area, shall be permitted to be erected upon premises of an apartment building, apartment/hotel building and hotel, but no more than one such sign shall be permitted in connection with any such building or with any group of such buildings operated together as an entity. Such detached sign shall be placed on a standard with cross arms, and the height thereof shall not exceed nine feet (9') from the finished grade of the ground to the top of the standard or post, except however, that the height of detached signs upon premises of an apartment building, apartment/hotel building and hotel facing, abutting and fronting upon U.S. Highway No. 1 (also known as South Dixie Highway), shall not exceed a height of

twelve feet (12') from the finished grade of the ground to the top of the standard or post. (1705, 2060)

b. **Service Stations.** Service stations dispensing products of companies which have a standard trade mark sign shall be permitted to erect one such detached trade mark sign on the premises of the station, such sign to be of a height and size as in accord with the standard height and size of similar signs of other stations handling the same products, subject to all requirements of the Building Code or ordinances of this City. (2310)

Signs which advetise the price of gasoline dispensed at a service station shall be permitted to be affixed or otherwise attached to the detached trade mark sign pole subject to the following conditions and restrictions: (2426)

1. The face of any such sign shall not be larger than a maximum of three (3) feet wide or a maximum of three (3) feet high or larger overall than a total of eight and one-half (8-1/2) square feet, and shall be surrounded by a one (1) inch aluminum or galvanized iron pipe frame.

2. The lettering and context of such signs shall be limited and restricted to the following:

   a. The words "SELF SERVE", and
   b. The grade and price of not more than three (3) gasoline grades.

3. The typestile of the letters and numbers shall be helvetica and the height of the letters and numbers of such signs shall not exceed the following:

   a. The words "SELF SERVE" in upper case letters - three (3) inches.
   b. The letters designating the "GRADE" - five and one-half (5-1/2) inches.
   c. The dollars and cents numbers - eight and one-half (8-1/2) inches.
   d. The tenths cent numbers - five and one-half (5-1/2) inches.

4. The color scheme of such signs shall be as follows:

   a. Letter and numbers - white
   b. Background - black
   c. Pipe frame - black

5. The sign may be so designed that the letters and/or numbers can be readily removed and replaced.

6. Not more than one (1) price sign shall be permitted to be erected for any one service station. This provision, however, shall not preclude the sign from having a front and back as set forth herein in sub-paragraph 7.

7. Such price sign shall be so attached or erected on the detached sign pole that the face of such sign is perpendicular to, or parallel with the front property line and both faces of the sign or the face and back thereof, shall be parallel to each other.

8. No such signs shall be located or placed at a corner intersection of a street in such a manner that it would block or obscure the visibility at the street intersection.

9. No illumination shall be permitted for such sign.

10. The structural design and method of attachments of such sign shall be subject to approval of the Structural Engineer.

11. Such sign shall initially be subject to approval by the Board of Architects and shall not be installed or erected without a permit, however, subsequent changes of the letters and or numbers shall not require a permit and shall not be required to be submitted to the Board of Architects for approval, provided, however, that all such changes shall be professionally lettered.

12. The Code Enforcement Officer shall cause to be removed any such signs not conforming with the provisions of this section.

c. **Parking Lots.** Detached signs may be erected upon off-street parking lots of ten thousand (10,000) square feet or more in

area, which are operated in connection with stores or other places of business. Prior to the erection of any such sign, the operator of such place of business furnishing offstreet parking facilities primarily for the customers of that place of business, shall make written application, including a sketch, in duplicate, of the proposed sign to the Board of Architects who shall either grant or reject such application and, if granted shall designate the size, location, lettering and like matters in connection therewith. Wording on the sign shall be limited to the name of the business and may include the words "CUSTOMER PARKING ONLY" or any combination thereof. Only one such sign, not larger than twenty-four (24) square feet, shall be permitted on any one such parking lot. Any necessary entrance or exit signs will be permitted, with a limit of two (2) signs to each entrance and exit with a maximum area of three (3) square feet, and maximum width of two (2) feet, and location must be approved by the Board of Architects. Only the words "EXIT ONLY" or "ENTRANCE ONLY" shall be permitted on said entrance and exit signs.

d. Building Sites. Whenever a building permit shall have been issued by the Building Department of The City of Coral Gables for construction and/or alteration as therein set forth, signs will be permitted on the premises covered by a building permit, subject to the approval of the owner, and the following conditions and classifications: (1786)

1. Dimensions:

(a) Industrial and Commercial Zones
The face of any such sign shall not be larger than a maximum of six feet (6') long, or a maximum of six feet (6') high, or larger overall than a total of twenty-four (24) square feet, figured on its outside dimensions. The top of any such sign shall not be higher than eight feet (8') above the ground.

(b) Apartment Zone
The face of any such sign shall not be larger than a maximum of five feet (5') long, or a maximum of five feet (5') high, or larger overall than a total of twenty (20) square feet, figured on its outside dimensions. The top of any such sign shall not be higher than eight feet (8') above the ground.

(c) Duplex Zone
The face of any such sign shall not be larger than a maximum of three feet (3') long, or a maximum of three feet (3') high, or larger overall than a total of six (6) square feet, figured on its outside dimensions. The top of any such sign shall not be higher than six feet (6') above the ground.

(d) Residential Zone
The face of any such sign shall not be larger than a maximum of two feet (2') long, or a maximum of two feet (2') high, or larger overall than a total of four (4) square feet, figured on its outside dimensions. The top of any such sign shall not be higher than six feet (6') above the ground.

2. Content:

(a) Industrial and Commercial Zones
One single-face sign will be permitted which may identify any and/or all contractors and subcontractors employed on the structure, and the designing architect and/or engineer qualified under the laws of Florida to prepare such plans, and the name of the building.

(b) Apartment Zone
One single-face sign will be permitted which may identify any and/or all contractors and subcontractors employed on the structure, and the designing architect and/or engineer qualified under the laws of Florida to prepare such plans.

(c) Duplex and Residential Zones
One single-face sign will be permitted which may identify the general contractor employed on the structure and the designing architect and/or engineer qualified under the laws of Florida to prepare such plans.

(d) Sale or Rental
Any such sign may also state whether the structure is for rent or sale. (In the event, however, that said sign contains wording indicating that the structure is for rent or sale, the total number of square inches on said sign dealing with the rental or sale, or referring to the availability for purchase of said property, shall not, in any case, exceed forty (40) square inches for Industrial, Commercial and Apartment Zones, and forty (40) square inches for Duplex and Residential Zones.

3. Supports:

(a) Industrial, Commercial and Apartment Zones
The sign shall be fastened securely to each of two (2) supports, one at each end of said sign and such supports shall be sunk at least three feet (3') into the ground and securely held either by concrete or some other suitable method, or such sign may be securely attached to a building on the premises.

(b) Duplex and Residential Zones
The sign shall be fastened securely to a standard which shall be well-anchored into the ground, or such sign may be securely attached to a building on the premises.

4. Removal:

All Zones
Any such signs must be removed by the owner, contractor, designing architect or engineer within seventy-two (72) hours after occupancy, use, or a certificate of occupancy has been is-

sued, or whenever in the opinion of the Building Department an inspection discloses that the building or alteration has been completed to the point where a certificate of occupancy, if applied for, would be issued, whichever occurs first.

e. **Motels.** Detached signs, the face thereof not exceeding thirty-two (32) square feet in area shall be permitted to be erected upon the premises of a motel. Only one such detached sign shall be permitted on the motel premises. The height of such detached sign shall not exceed nine feet (9') from the finished grade of the ground to the top of the sign, provided however, that the height of detached signs upon premises of a motel facing, abutting and fronting upon Southwest Eighth Street (also known as Tamiami Trail) and upon U.S. Highway No. 1 (also known as South Dixie Highway) may be erected to a height not to exceed the height limits permitted by Section 10.09 (1) hereof for such streets. (2060)

f. **Historical Markers.** Whenever any building, structure, site or artifact has been recommended for approval as a historic landmark by the City of Coral Gables Historic Preservation Board of Review and such building, structure, site or artifact has been approved by the City Commission as a historical landmark, a detached historical marker may be permitted to be erected upon the site, subject to the following conditions and restrictions: (2204)

1. The size and design of such historical marker shall be in accordance with the historical markers cast for the State of Florida's Bureau of Historical Sites and Properties as if the same were fully set forth herein.
2. The historical marker and the letters on such historical marker shall be of cast aluminum or cast bronze.
3. The supporting member of such marker shall be of metal imbedded in a masonry foundation.
4. The marker may describe events, people, places, ideas and identify the sponsor, but the text on the marker shall be subject to approval of the Historic Preservation Board of Review.
5. The letters on such marker shall be painted in gold leaf, but the color of the background of such marker shall be subject to approval of the Historic Preservation Board of Review.
6. The face of any such marker erected on private property shall be set back a minimum of five (5) feet from the front property line and a minimum of fifteen (15) feet from any interior property line.
7. On corner intersections no such marker shall be placed within fifteen (15) feet of any official right-of-way line.
8. Any such historic marker on private property shall be so erected that its face is perpendicular to or is parallel with the front property line.
9. The top of such marker shall not be more than seven and one-half (7½) feet above the finish grade of the ground.
10. The location of the historical marker on private property shall be subject to approval of the Historic Preservation Board of Review.
11. The location of historical markers on public property shall be subject to approval by the City Commission upon recommendation from the Historic Preservation Board of Review.
12. Historical markers erected in "C" or "M" Use Districts may be illuminated, provided, however, that the source of illumination be shaded and not directly visible from any public right-of-way.

g. **University of Miami.** The following detached building identification signs, campus directory signs and reference point signs will be permitted upon the University of Miami Campus subject to the conditions and restrictions as set forth herein: (2354)

1. For the purpose of this section a building identification sign, campus directory sign and reference point sign is defined as follows:
   a. Building Identification Sign. A detached sign identifying the building name and/or function of a building.
   b. Campus Directory Sign. A detached sign listing the names and/or location of the various organizations, schools, laboratories, departments, activities or places within the campus. Such detached sign may contain a map of the University of Miami Campus designating the location of various buildings, offices, activities and/or off-street parking lots.
   c. Reference Point Signs. A detached sign placed at various points along the perimeter of the campus to designate the separate administrative, athletic, academic, student activities, recreational and student housing areas.
2. The sign frame and sign posts for each such sign shall be constructed of extruded aluminum.
3. The sign panels for such signs shall be constructed of nomar, a fiber-reinforced polyester.
4. The letters, symbols and/or illustrations for such signs shall be silk screened onto white alpha paper and

such paper shall be bonded between two (2) sheets of nomar.

5. The letters and symbols on such signs shall not exceed an overall height of four (4) inches.

6. The color scheme of such detached signs shall be subject to the approval of the Board of Architects, however, subsequent changes shall not be required to be submitted to the Board of Architects for approval provided, however, that the same color scheme is maintained.

7. The posts for such signs shall be mounted in concrete and shall be well anchored into the ground. Each such sign shall be constructed so as to withstand winds of one hundred fifty (150) miles per hour, and in that respect shall be subject to the approval of the structural engineer.

8. The face of any such signs shall be set back a minimum of five (5) feet from the front line of the building site and a minimum of fifteen (15) feet from any interior side line of the building site.

9. On corner intersections no such sign shall be placed within fifteen (15) feet of any side street right-of-way line.

10. Not more than one (1) such building identification sign shall be permitted for any one building.

11. Such detached signs shall be so erected that their face is perpendicular to or in parallel with the street right-of-way line.

12. Building identification signs shall not exceed a width of thirty-six (36) inches and a height of thirty (30) inches and the overall height of the sign shall not exceed three (3) feet above finished grade of the ground.

13. Campus Directory signs shall not exceed a width of seventy-two (72) inches and a height of seventy-two (72) inches and the overall height of the sign shall not exceed six (6) feet above finished grade of the ground.

14. Reference point signs shall not exceed a width of thirty-six (36) inches and a height of thirty (30) inches and the overall height of the sign shall not exceed three (3) feet above finished grade of the ground.

15. Such detached signs shall initially be subject to approval by the Board of Architects and shall not be installed or erected without a permit, however, subsequent changes of the letters or illustrations shall not require a permit and shall not be required to be submitted to the Board of Architects for approval, provided they comply with the requirements of this ordinance.

SECTION 10.10 SIGNS ON AWNINGS — REGULATIONS. Signs shall hereafter be permitted to be painted upon awnings or awning valances, subject to the provisions of this ordinance and upon the following express conditions:

(a) Such signs shall be limited to the name of the owner or the trade name of the business, and the street number of the building; the business name or owner's name shall appear not more than once on any one side valance or front valance of any awning, but street numbers may be placed before and after each statement of the business name or owner's name; the street name shall in no case be permitted to be painted upon any awning valance.

(b) All lettering of such signs shall be placed thereon in one line and the letters or numerals shall not in any case exceed four inches (4") in height.

(c) Marks or insignia constituting or forming a decorative motif shall be permissible above the valance of any awnings under the following circumstances: the mark or insignia shall be approved by the City Commission upon drawings or sketches submitted to it. Such decorative motifs shall not include trade marks, lettering, printing or signs of any kind but shall be limited strictly to a decorative motif.

SECTION 10.11 ADVERTISING SIGN IN RESIDENTIAL DISTRICTS. Except for signs herein otherwise permitted upon building sites during construction of a building thereon, no advertising sign, exposed to view from any public street, highway, thoroughfare, waterway or public place shall be erected, used or maintained upon any lot or parcel of land which is, by the terms of a deed or contract for deed still in force, restricted to purposes of improvements or occupation for residential purposes, or which is now or may hereafter be zoned by ordinance for residence purpose only, whether such residence purpose be single-family, duplex or multiple-family, unless the same shall conform in construction, location, size and type to the provisions of this ordinance. (2255)

SECTION 10.111 SIGNS, REAL ESTATE, FOR SALE, LEASE OR RENTAL OF PROPERTY OR BUILDINGS. Signs pertaining to the sale, lease or rental of property or buildings shall be permitted in any use district subject to the following conditions and restrictions: (2255)

(a) The sign may identify the property, the owner or agent and the address and telephone number of the owner or agent relative to the premises upon which the sign is located.

(b) The face surface of such sign shall not be larger than forty (40) square inches, provided, however, that it shall be permissible to attach thereto one of the following additional signs not exceeding forty (40) square inches and containing the wording:

(a) BY APPOINTMENT ONLY
(b) OPEN
(c) SOLD

(c) The sign shall be constructed of metal, plastic, wood or pressed wood and shall be fastened to a supporting member constructed of angle iron not exceeding one (1) inch by one (1) inch.

(d) The supporting member shall be driven into the ground to provide that the top of the face of such sign shall not be more than four (4) feet above the finished grade of the ground.

(e) All such signs shall be lettered professionally, but such signs shall not be required to be submitted to the Board of Architects for approval and no permit shall be required for the installation or erection of such signs.

(f) Only one (1) such sign shall be permitted on any one premises, provided, however, that where the property abuts a waterway or golf course, a sign may also be placed or erected to be visible from such waterway or golf course with such sign having a setback from the waterway or golf course of not less than five (5) feet.

(g) Such sign shall be so erected or placed that its center line is parallel or perpendicular to the front property line.

(h) Such sign shall not be erected or placed closer than five (5) feet to the front property line unless the main part of the building is less than five (5) feet from the front property line, in which case the sign may be placed in or upon a front or side door, window or elevation of the building.

(i) Nothing contained herein shall be construed as prohibiting the same wording from being on both the front and back of the sign.

(j) Where such sign is suspended from an arm of the support, such arm shall not exceed a length of sixteen (16) inches.

(k) All such signs shall be erected on a temporary basis.

(l) Such sign shall be kept in good repair and shall not be illuminated or constructed of a reflective material and shall not contain any flags, streamers, movable items or like devices.

(m) Any such sign shall be removed within five (5) days from the date a binding agreement is entered into for the sale, lease or rental of the property or immediately upon the removal of the property from the market, whichever occurs first.

(n) Any Code Enforcement Officer may cause to be removed any such sign not conforming with the provisions of this section.

SECTION 10.12 TEMPORARY PAPER SIGNS. Paper or other temporary signs may be affixed or otherwise attached to or displayed within glass display windows of commercial establishments and stores, without the requirements of a permit being obtained therefore and without such signs having to be submitted to and approved by the Board of Architects, provided however, that not more than one such sign shall be permitted within or upon any one display window and not more than two signs shall be permitted in any one business establishment and provided further that no such sign shall exceed two hundred fifty (250) square inches in size.

Temporary signs announcing or advertising a licensed going-out-of-business sale shall also be permitted to be displayed within glass display windows of such business establishments, subject to the following conditions and restrictions: (2255)

(a) No sign permit or approval by the Board of Architects shall be required.

(b) Such sign shall not be larger than two (2) feet by three (3) feet.

(c) Not more than one (1) such sign shall be permitted within any one display window and in no event shall more than two (2) such signs be displayed in any one business establishment.

(d) Such signs shall not be pasted or attached to the window glass but shall be displayed within the display window.

SECTION 10.13 SIGNS IN SHOW WINDOWS, DISPLAY WINDOWS, OR DOOR OR OTHER WINDOWS. No sign of any kind which is visible from the exterior of the building shall be located or displayed in or from any show window, display window, or door or other window nor shall any sign be located within five feet (5') of such show window, display window, or door or other window when such sign is so designed or displayed so as to attract attention from the exterior of the building providing that:

(a) Temporary paper signs will be permitted as provided under Section 10.12.

(b) Permanent signs shall be permitted to be installed or affixed to or painted upon any show window, display window, or door or other window as provided for elsewhere in this section as shall be approved by the Board of Architects.

(c) The foregoing shall not prohibit the use of bona fide price tags when such tags are affixed to or attached to merchandise displayed for sale providing that the size and number of such signs shall be aesthetically in keeping with the building as shall be approved by the Board of Architects.

SECTION 10.131 CAMPAIGN SIGNS. Campaign signs shall be permitted on any business building in the City of Coral Gables which is the authorized campaign headquarters for the candidate in question. The sign shall be of temporary nature and shall not exceed an over-all height of four (4) feet and a length of fourteen (14) feet. Only one such sign shall be permitted on the campaign headquarters. No permit shall be required for such sign, however, the person in charge of the headquarters or the company erecting the sign shall submit a letter to the Director of Building and Zoning stating that they will be responsible for removing the sign and such sign shall be removed within seven (7) days after the election. (2255)

No candidate signs or placards shall be permitted to be erected or placed upon parkways, vacant lots, utility poles, trees and etc.

SECTION 10.132 EXEMPTED SIGNS. The following signs shall be exempt from the provisions of this section: (2255)

(a) Official municipal information signs designed and installed by the City.

(b) Official traffic signs and sign structures, provisional warning signs and sign structures when erected or required to be erected by a legally constituted governing body.

(c) Decorative flags and bunting for city-wide celebrations, conventions and commemorations when authorized by the City Commission for a prescribed period of time.

(d) Signs incorporated on machinery or equipment at the manufacturer's or distributor's level, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, gasoline pumps and etc.

(e) Signs reading "entrance" and/or "exit" to parking lots and parking garages.

Such exempted signs, however, shall not contain any commercial advertisements.

SECTION 10.133. Rescinded by Ordinance No. 2426

SECTION 10.14 SIGNS ON VEHICLES PROHIBITED . Signs attached to or placed on a vehicle (including trailers) that are parked on public or private property shall be prohibited. This prohibition, however, shall not apply in the following cases: (1673, 2255)

(a) Identification of a firm or its principal products on a vehicle operating during the normal hours of business, provided, however that no such vehicle shall be parked on public or private property with signs attached or placed on such vehicle for the purpose of advertising a business or firm or calling attention to the location of a business firm.

(b) Automobiles carrying advertising signs dealing with the candidacy of individuals for elected office. This exemption, however, shall cease seven (7) days after the date of the election in which the person was finally voted upon.

(c) Automobiles carrying advertising signs, advertising propositions to be submitted and voted upon by the people. This exemption, however, shall cease seven (7) days after the date of the election in which the proposition advertised was finally voted upon.

SECTION 10.141 PENNANTS, BANNERS, STREAMERS, BALLOONS, BLINKING LIGHTS, FLASHING LIGHTS, AND SIMILAR DEVICES. Pennants, banners, streamers, balloons, blinking and flashing lights, streamer lights, flags except those set forth under Section 2.334 herein and any other fluttering, spinning, rotating or similar type attention attractors and advertising devices shall be prohibited. (2255)

SECTION 10.15 REMOVAL OF SIGNS ON VACATED BUILDINGS. Any owner or lessee identification signs advertising a commodity or service associated with a premise shall be removed from the premises by the owner or lessee not later than sixty (60) days from the date the premises are vacated and such activity has ceased to exist on the premises. (1876)

SECTION 10.16 HISTORICAL PLAQUES. Historical plaques may be erected upon buildings, structures and/or artifacts which have been designated as historic landmarks upon the recommendation from the City of Coral Gables Historic Preservation Board of Review and approved by the City Commission, subject to the following conditions and restrictions: (2204)

(a) The plaque shall be of cast aluminum or cast bronze.

(b) The size of such plaque shall not exceed eighteen (18) inches in width by eighteen (18) inches in height.

(c) The text on such plaque shall be subject to approval by the Historic Preservation Board of Review.

(d) The color of such plaque shall be subject to approval by the Historic Preservation Board of Review and the Board of Architects.

(e) Such plaque shall be erected flat against the surface of the building, structure or artifact.

(f) Only one such historical plaque and/or historical marker shall be permitted to be erected upon any one historic landmark.

SECTION 10.17 REMOVAL OF NON-CONFORMING SIGNS. All non-conforming signs and sign structures in existence upon the effective date of this section shall be removed by the owner of said sign or by the owner of the property where the sign is located on or before October 1, 1982. (2255)

11. BOARD OF ARCHITECTS AND STRUCTURAL ENGINEER

SECTION 11.01 APPOINTMENT - NUMBER - TERM.

(a) There hereby is created a Board of Architects; such Board shall have not less than one member nor more than five at any one time, and the number of members constituting said Board shall be as from time to time designated by resolution of the City Commission; the members of the Board shall be appointed by the City Manager and approved by the City Commission.

(b) If the Board consists of one member, he shall hold office at the will of the Commission, and shall be designated as the "Supervising Architect".

(c) If the Board is made up of three members, then, and in that event, the members are to be appointed for specific terms of 18 months; however, the original three members constituting such Board shall be appointed: one for 6 months, one for 12 months, and one for 18 months; their replacements shall be for 18 months each; except as such terms may be fixed otherwise by resolution of the Commission.

(d) In the event that the Board is composed of five members, then its members shall be appointed for specific terms of 18 months each with members of the first Board serving: one for 6 months; two for 12 months; and two for 18 months; their replacements shall be for 18 months each.

(e) Two associate members shall be named by the City Manager subject to approval by the City Commission. The original appointments shall be; one for a term of six (6) months and one for a term of twelve (12) months. The term of their replacement shall be for twelve (12) months. In the absence or disability of a regular member, or members the associate members may be called to set and act in his or their place by the Chairman of the Board. (2471)

(f) No member of the Board of Architects shall be re-appointed as a member of such Board until at least twelve months have intervened between the expiration of his term and any new appointment; the associate member shall be appointed as a regular member of the Board at the expiration of his term as an associate member.

(g) In the event that the Board of Architects should consist of only one member, this section shall, wherever applicable, apply and the inconsistencies that naturally arise in the difference of the size of Board and one member as opposed to more than one member shall be resolved sensibly to fit with the one member Board.

SECTION 11.02 MEMBERSHIP AND ORGANIZATION OF BOARD. In the event that the Board of Architects shall consist of more than one member, such Board shall elect a Chairman and Vice-Chairman to preside at its meetings, and shall formulate its rules and regulations for the conduct of its business. Both such officers must be members of the American Institute of Architects. The members of the Board shall have the following qualifications:

(a) Each member shall have had 10 years experience in the practice of his profession, and must either be a resident or have his principal place of business in the City of Coral Gables.

(b) All members and associate members shall be registered architects in the State of Florida, and at least a majority of the members of the Board shall be members of the American Institute of Architects. (2471)

SECTION 11.03 MAJORITY TO APPROVE PLANS. The Board of Architects shall meet to consider and act upon plans and specifications submitted in connection with applications for buildings or sign permits as hereinafter required. The approval of at least a majority of the Board of Architects, as from time to time constituted, signified by their signature on each set of plans and specifications required to be submitted with each application for a permit, shall be a prerequisite to the issuance of any building or sign permit required to be approved by the Board.

SECTION 11.04 MEETING AND RECORDS. The Board of Architects shall meet at least once each week, and at such other times as the Board may determine, for the consideration of the business before the Board. All meetings shall be open to the public and the order of business and procedure to be followed shall be as prescribed by the Board. A majority of the Board shall constitute a quorum and the affirmative vote of a majority of the Board shall be necessary for any action thereof. The City Manager is authorized and empowered to appoint a Secretary for the Board. A record of the proceedings of the Board shall be kept, showing its action on each question considered. Such record shall be filed in the office of the Secretary of the Board of Architects of the City of Coral Gables and shall be open for public inspection.

SECTION 11.05 STRUCTURAL ENGINEER.

(a) The Structural Engineer shall be appointed by the City Manager, with the approval of the City Commission. The appointment made in the year 1950 shall be for a term ending June 30, 1951 and all appointments thereafter shall be for two year terms ending June 30, of the second year following the appointment, and until a successor shall be appointed and shall qualify.

(b) An Associate Structural Engineer shall be appointed by the City Manager for a term of two years with the approval of the City Commission. He shall act in the absence or disability of the Structural Engineer.

SECTION 11.06 APPROVAL OF DESIGN BY STRUCTURAL ENGINEER. No permit shall be issued by the Building Department for the erection, or any alteration or addition to, any building, structure or sign in the City of Coral Gables in any

case where matters of structural design for which standards are not specifically prescribed by the Building Code or ordinances of the City of Coral Gables are involved, until said structural design has been approved by the Structural Engineer. Such approval shall be signified by the signature of the Structural Engineer on all sets of plans or specifications required to be submitted in connection with the application for a permit.

SECTION 11.07 BUILDING PERMITS AND APPLICATIONS. No person, firm or corporation shall commence or cause to be commenced, the erection, construction or alteration of any building, structure, sign, awning or canopy, within the City of Coral Gables, until an application for a permit therefor has been previously filed with the City of Coral Gables, as provided herein, and other ordinances of the City, and until a permit therefor has first been issued by the City. No person, firm or corporation shall commence, or cause to be commenced, any repair to any existing building, structure, sign, awning or canopy in the City of Coral Gables until an application for a permit therefor has been previously filed with the City of Coral Gables, as provided herein and by all other ordinances of the City. No repairs shall be commenced upon any building, structure, sign, awning or canopy until a permit therefor has been first issued by the City of Coral Gables, in every case where the cost of such proposed repairs will exceed one hundred dollars ($100) in labor and materials, as determined by the Building Official. All work done under and pursuant to any building or sign permit issued by the City of Coral Gables shall conform to the plans and/or specifications therefor as approved prior to the issuance of such permit and any deviation therefrom shall constitute a violation of this Code. The maintaining of any building, structure, alteration, sign, awning, canopy or the repairing of any existing building, structure, sign, awning or canopy without first having complied with the above requirements shall constitute a violation for each day it is so maintained. (2043, 2091, 2257, 2261)

SECTION 11.08 PLANS AND SPECIFICATIONS. Every application for a permit to erect a building or structure or to materially alter a front or side elevation of any existing building or structure in the City of Coral Gables, shall be accompanied by two (2) sets of detailed plans and such detail structural drawings thereof as the Building Official may require. If the plans submitted do not furnish sufficient information adequately to show the scope of the planned construction for which a permit has been requested then there shall be furnished, in addition to the two (2) sets of detailed plans, one set of detailed specifications for such proposed work; both the plans and specifications shall be prepared by a registered architect or registered engineer, qualified under the laws of the State of Florida to prepare such plans and specifications and no permit therefor shall be issued until such plans (and specifications when required) shall have been previously approved by the Board of Architects as hereinabove provided. All such plans and specifications for buildings or structures to be erected in Coral Gables, that are governed by State Laws, must have the standard approval of the State representative before application is made for permit. All plans for construction in Coral Gables shall consist of the following:

Floor Plan	(Scale 1/4"=1'0")	
Wall Section	(Scale 3/4"=1'0")	showing all wall, floor, and roof construction
Elevations	(Scale 1/4"=1'0")	showing all facades of building
Foundation Plan	(Scale 1/4"=1'0")	
Details	(Scale 3/4"=1'0")	of all ornamental work and full-size sections of all mouldings
Certified Survey		
Plot Plan	(Scale 1/16"=1'0")	

The plot plan shall show the actual shape and dimensions of the lot to be building upon, the exact size and location on the lot of proposed and existing buildings and accessory buildings, and the existing and intended use of each bulding or part of a building existing and/or proposed, driveway, provisions for offstreet parking and such other information with regard to the lot as may be necessary to determine compliance with these regulations.

Specifications, when required, shall be full and complete as to character of the work, structural details, strength of material, and workmanship.

No plans or specifications in violation of this or any other ordinance of the City of Coral Gables shall be approved. No permit for the construction of any motel, or for the construction of any addition thereto, shall be issued until and unless the plans therefor are approved by the Board of Adjustment as well as by the Board of Architects. (1884, 2300)

SECTION 11.09 FEES FOR EXAMINATION OF PLANS AND SPECIFICATIONS. For examination of such plans and specifications, by the Board of Architects and/or Structural Engineer, there shall be charged and collected by the City, in addition to all other building permit fees which are now or which may hereafter be prescribed by ordinance, a fee of one dollar ($1) per thousand dollars ($1,000), or major fraction thereof, of the estimated cost of the construction involved, which shall be payable at the time the building permit for such work is issued; provided however, that a preliminary deposit upon such fee, at the rate of one dollar ($1) per thousand dollars ($1,000) of the estimated cost of construction involved, to a maximum of seven dollars ($7) for each set of plans and specifications, shall be paid at the time of the submission of the plans and specifications for examination, such deposit to be retained by the City as a final fee for examination of plans in the event no building permit is later issued for the work covered by such plans, and to be applied against, and as a part of the fees so due at the time of issuance of the building permit, if a building permit is subsequently issued for such work.

SECTION 11.10 CHANGES IN PLANS AND SPECIFICATIONS MAY BE REQUIRED. It shall be the duty of the Board of Architects, the Structural Engineer and the Building and Zoning Director to require such changes, if any, in any plans and/or specifications presented as may be necessary to conform to the provisions of this and all ordinances of the City of Coral Gables, with due regard to any existing deed

restrictions not in conflict herewith. The said Board of Architects or Structural Engineer may also suggest or recommend such changes in said plans and specifications as in its or his judgement may be requisite or appropriate to the maintenance of a high standard of construction, architecture, beauty and harmony. (1884)

SECTION 11.11 SAMPLES OF COLOR IN PAINTING OR AWNING WORK. Each applicant for or holder of a permit authorizing exterior painting, coloring, awning work or erection of a canopy shall be required to submit to the Board of Architects for its approval, prior to the execution of such work, sample of the color to be used in such work; and the Board of Architects shall require the use of appropriate and harmonious color therein.

SECTION 11.12 EXPENSES, BOARD MEMBERS AND FEES PAID ENGINEER. Each member of the Board of Architects shall receive the sum of twenty-five dollars ($25) for each regular or special meeting of the Board of Architects attended by him. This sum shall not be considered as compensation but shall be considered as travel and other necessary expenses incurred in the performance of their official duties. The Structural Engineer shall be paid a flat fee per month as recommended by the City Manager and approved by the City Commission for his services as Structural Engineer and for advice and consultation furnished to the City Manager and Public Works Department. This fee shall be paid without regard to the number of building plans examined and/or approved by said Structural Engineer. (1719, 2375)

SECTION 11.121 NOTICE OF REVIEW OF PRELIMINARY PLANS. In every case where the Board of Architects is scheduled to review preliminary plans for additions, exterior alterations and/or new construction in which the estimated cost of construction will exceed twenty-five thousand dollars ($25,000) the Secretary of the Board of Architects shall cause a notice of the meeting to be given in the following manner: (2457)

(a) **POSTING OF PROPERTY**

(1) All such property shall be posted at least five (5) days prior to the Board of Architects meeting. Such posting shall consist of a sign, the face surface of which shall not be larger than forty (40) square inches in area, the color of shich shall be yellow with black lettering and shall contain the following language: (2465)

NOTICE
BOARD OF ARCHITECTS
REVIEW OF PRELIMINARY PLANS

PHONE: HEARING NO.
HEARING DATE:

(2) The sign shall be erected in full view of the public on each street side of such property. Where large parcels of property are involved with street frontages extending over considerable distances, as many signs shall be erected on the street frontage as may be deemed adequate to inform the public.

(3) If such sign be placed on a vacant lot or parcel of land, it shall be securely nailed or otherwise fastened securely to a stake or post which itself shall be fastened securely into the ground. Said sign shall not be located nearer than ten (10) feet nor more than fifteen (15) feet from the street property line, provided, however, that where said property is improved by a building, the main part of which is less than ten (10) feet from said property line, the sign may be placed upon the front and/or side of the building, or upon a front and/or side door and/or window of the building. Whenever a building on improved property is located more than ten (10) feet from the street property line, the sign shall be erected as provided for on vacant property.

(4) The height of such sign shall be erected to project not more than three (3) feet above the surface of the ground.

(5) It shall be a misdemeanor in the second (2nd) degree, punishable pursuant to Florida Statute 775.082 and 775.083 if any unauthorized person shall tamper with or remove the signs posted pursuant to this section.

SECTION 11.13 APPEALS FROM DECISIONS OF BOARD, STRUCTURAL ENGINEER, BUILDING AND ZONING DIRECTOR OR ADMINISTRATIVE OFFICIAL. An appeal from any decision of the Board of Architects, the Structural Engineer, Building and Zoning Director or Administrative Official, may be taken to the Board of Adjustment by any person who is aggrieved by such decision, or by any officer of the City. At the time any such appeal is considerd by the Board of Adjustment such Board shall give the Board of Architects, or the Structural Engineer, or the Building and Zoning Director or the Administrative official, as the case may be, and the appealing party, an opportunity to be heard. (1884, 1908, 2300)

12. BOARD OF ADJUSTMENT - PROCEDURES

SECTION 12.01 APPOINTMENT OF BOARD. A Board of Adjustment is hereby established which shall consist of seven (7) members, five (5) of whom shall be appointed by the City Commission, one (1) of whom shall be nominated by the City Manager, subject to approval of the City Commission and one (1) of whom shall be nominated by the six (6) members so appointed, subject to approval of the City Commission. In the event that the six (6) members shall fail to agree on the seventh (7th) member, such member shall then be nominated by the City Commission after a thirty (30) day waiting period. All members, except the five (5) members appointed by the City Commission, shall be associated with and ethically responsible to professions having a membership generally familiar with planning and zoning principles; such professions may include Architects, Engineers, Attorneys, Appraisers, Contractors, Realtors, etc. A member of the administrative staff of the Building and Zoning Department shall be anmed by the City Manager to act as a non-voting ex-officio member of the Board and shall be Secretary of the Board. (1836, 1884, 1896, 1908, 2300, 2316)

SECTION 12.02 TERMS. The term of each member shall be for a period expiring on May 31, 1971. Thereafter all appointments shall be for a two-year period, commencing June 1 and ending on May 31 of the next odd year or until their successor is

appointed. Any member may be removed by a majority vote of the City Commission. Appointments for replacement of any member due to death, resignation or removal shall be for the unexpired term. (1884, 1908)

SECTION 12.03 ORGANIZATION AND MEMBERS. The members of the Board of Adjustment shall elect one of its members to serve as Chairman. The term of the first Chairman so named shall terminate on May 31, 1971; thereafter, the term of the Chairman named by the Board shall be for a period of one (1) year but not later than May 31 of the year following the date of appointment. Nothing shall prevent the Board from naming a Chairman to succeed himself. Each member of the Board shall be a resident citizen, domiciliary of the City of Coral Gables and an owner of real property or spouse of owner in the City of Coral Gables during the term of appointment and also for at least five (5) years prior to appointment. (1884, 1908, 2248, 2300)

SECTION 12.04 MEETINGS - RECORDS. The Board of Adjustment shall hold regular meetings on the first Monday of each month, and special meetings at such times as the Board may determine or at the call of the Chairman thereof, or the Building and Zoning Director for consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Board. Four (4) members of the Board shall constitute a quorum and the affirmative vote of a majority of the Board shall be necessary to authorize a variance, grant an appeal, effectuate a ruling or recommendation or for any other decision or determination thereof. In the event of a tie vote, the matter voted upon shall be automatically deferred to the next regular meeting of the Board and if at such subsequent meeting a tie vote is again obtained the minutes of the Board of Adjustment shall show that the motion was not carried and that the matter voted upon was denied. A written record of the proceedings of the Board shall be kept, showing its action on each question considered. Such record shall be filed in the office of the Secretary of the Board, and shall be open for public inspection. (1773, 1836, 1884, 1908, 2119, 2300, 2452)

SECTION 12.05 AUTHORITY, POWERS AND DECISION OF THE BOARD OF ADJUSTMENT. The Board of Adjustment shall have the following authority and powers:

(a) Authorize in specific cases such variance from the terms of this Code as will not be contrary to the public interest where, owing to special conditions a literal enforcement of the provisions of this Code would result in unnecessary hardship. A variance from the terms of this Code shall not be granted by the Board of Adjustment unless the Board shall find that the facts exist as set forth under Section 12.07. Variances shall be granted only after a public hearing has been held by the Board of Adjustment at which persons interested and/or affected shall be accorded an opportunity to be heard.

(b) Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Board of Architects, Structural Engineer, Building and Zoning Director, or any Administrative Official in the enforcement of the Zoning Code. An appeal shall be granted only after a public hearing has been held by the Board of Adjustment at which time persons interested and/or affected shall be accorded an opportunity to be heard.

The Board of Adjustment may, so long as such action is in conformity with the terms of this Code, reverse or affirm wholly or partially, or may modify the order, requirements, decision or determination appealed from and may make such order, requirements, decision or determination as ought to be made, and to that end shall have powers of the Board of Architects, Structural Engineer, Building and Zoning Director, or Administrative Official from whom the appeal is taken.

(c) Construe the provisions of this Code so that the spirit and the true purpose thereof may be observed.

(d) The Board of Adjustment shall recommend in writing to the Planning and Zoning Board such amendments to this Code as it may deem proper and expedient or necessary to clarify, or to carry into effect the purposes thereof.

All decision of the Board of Adjustment shall be by resolution. Within fourteen (14) days from the date of such decision, any resolution of the Board of Adjust-

ment may be appealed to the City Commission, as provided for under Section 14.01 herein, otherwise the resolution shall become final. (1584, 1836, 1884, 1908, 2292, 2300)

SECTION 12.06 NOTICE OF HEARINGS. In every case where a variance or a ruling is requested to this Code, or where an appeal is requested from a decision of the Board of Architects, Structural Engineer, Building and Zoning Director, or Administrative Official, as provided for under Section 11.13 hereof, the Secretary of the Board of Adjustment shall cause a Notice of the Public Hearing to be given in the following manner: (1836, 1884, 1908, 2292, 2300)

(a) TYPES OF NOTICES.

1. NEWSPAPER PUBLICATION. A public notice of such variance, request, or ruling to this Code, or an appeal from a decision of the Board of Architects, Structural Engineer, Building and Zoning Director, or Administrative Official, shall be published one time in a newspaper of general circulation published in the City of Coral Gables or in Dade County, Florida, at least ten (10) days prior to the date of such hearing.

2. POSTING PROPERTY.

(a) All property being considered by the Board of Adjustment for a variance, ruling or an appeal from a decision of the Board of Architects, Structural Engineer, Building and Zoning Director, or Administrative Official, shall be posted at least ten (10) days in advance of the public hearing. Such posting shall consist of a sign, the face surface of which shall not be larger than forty (40) square inches in area, the color of which shall be day-glo orange with black lettering and shall contain the following language:

NOTICE
BOARD OF ADJUSTMENT
PUBLIC HEARING

PHONE:
HEARING DATE: HEARING NO.

(b) The sign shall be erected in full view of the public on each street side of such property. Where large parcels of property are involved with street frontages extending over considerable distances, as many signs shall be erected on the street frontage as may be deemed adequate to inform the public.

(c) If such sign be placed on a vacant lot or parcel of land, it shall be securely nailed or otherwise fastened securely to a stake or post which itself shall be fastened securely into the ground. Said sign shall not be located nearer than ten (10) feet nor more than fifteen (15) feet from the street property line, provided however, that where said property is improved by a building, the main part of which is less than ten (10) feet from said street property line, the sign may be placed upon the front and/or side of the building, or upon a front and/or side door and/or window of the building. Whenever a building on improved property is located more than ten (10) feet from the street property line, the sign shall be erected as provided for on vacant property.

(d) The height of such sign shall be erected to project not more than three (3) feet above the surface of the ground.

(e) It shall be a misdemeanor in the second (2nd) degree, punishable pursuant to Florida Statute 775.082 and 775.083 if any unauthorized person shall tamper with or remove the signs posted pursuant to this section.

3. MAIL NOTICES. Individual notices of such variance, ruling or appeal may be given in person or by mail to the owners of record of all property within three hundred (300) feet of the property under consideration, provided however, that in case of notice by mail, such notice shall be mailed not less than five (5) days before the date of the hearing.

(b) CONTENTS OF NOTICE. All such notices published in a newspaper and/or mailed to the property owners of record as set forth under (a) 3 above shall state in substance the variance, ruling or appeal requested, and shall give the date, time and place of the public hearing.

SECTION 12.07 VARIANCES. In order to authorize any variance from the terms of the Zoning Code, the Board of Adjustment must and shall find: (2300)

(a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;

(b) That the special conditions and circumstances do not result from the actions of the applicant;

(c) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district;

(d) That literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and would work unnecessary and undue hardship on the applicant (see also definition of "necessary hardship");

(e) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

(f) That granting the variance will not change the use to one that is different from other land in the same district;

(g) That the grant of the variance will be in harmony with the general intent and purpose of the Zoning Code, and that such variance will not be injurious to the area involved or otherwise detrimental to

the public welfare.

No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of land, structures, or buildings in other districts, shall be considered grounds for the issuance of a variance.

No variance from the Zoning Code shall be authorized by the Board of Adjustment which reduces the minimum square foot floor area more than five (5) percent for any specifically designated property. (2249,2300)

In granting any variance, the Board of Adjustment shall provide that any permit issued by the City of Coral Gables in connection with the variance shall conform to the plans submitted with the application and the Board of Adjustment may also prescribe appropriate conditions and safeguards in conformity with this Code. Violations of such and/or deviation from such plans, conditions and/or safeguards, shall be deemed a violation of this Code and punishable under Section 15.01. (2300,2414)

Under no circumstances shall the Board of Adjustment grant a variance to permit the following: (2267,2300)

(a) A use not permitted in the district involved, or any use expressly or by implication prohibited by the terms of this Code in said district; and

(b) The reduction or diminishing of a building site upon which a single family residence or duplex has heretofore been constructed.

When a variance is granted, the proceedings of the Board shall state the basis for granting the variance. (1836,1884,1908)

SECTION 12.08 APPLICATIONS FOR VARIANCE AND OTHER HEARINGS BEFORE THE BOARD OF ADJUSTMENT - PROCEDURE. All applicants for any variance to the Zoning Code or other hearing before the Board of Adjustment shall follow the following procedure: (1836, 1884, 1908, 2034, 2293, 2300, 2322)

(a) File a written request therefor with the Secretary of the Board of Adjustment on forms prescribed by him. Such application shall be accompanied by appropriate drawings, where applicable, including a plot plan showing established grade as defined in this Code, floor plan, and elevation drawings which shall have preliminary approval by the Board of Architects. The applicant shall pay the following fee at the time of filing such application. (2414)

1. Applications for variances involving "R" and "D" Use Disricts.....$100.00

2. Applications for variances in volving signs, off-street parking, landscaping, facing materials and fences and walls in "S", "A", "C" or "M" Use Districts.....$225.00

3. Applications for variances from each section of the Zoning Code (other than set forth in 1 and 2 hereinabove) for buildings in "S", "A", "C", or "M" Use Districts shall be based on the sum of the total gross floor areas of the existing and proposed buildings as follows: $0.02 per sq. ft. of gross floor area for each variance requested (with a minimum application fee of.....$225.00

4. Requests for special meetings, waiving of one (1) year waiting period on subsequent applications and applications for variances as a result of a change in the plans or a disapproval or violation notice shall be required to pay an additional fee of.....$200.00

5. Requests for an appeal from a decision of the Board of Architects, the Structural Engineer, Building and Zoning Director or Administrative Official.(2430)....$ 60.00

6. Requests for conversion of "R", "D", "A" or "S" buildings in "C" and "M" Use Districts.....$225.00

7. If a deferment on an application is requested by the applicant, an additional fee shall be charged as follows:

   a. Applications in "R" and "D" Use Districts.....$ 50.00

   b. All other applications.....$100.00

8. If the application is deferred by the Board of Adjustment and not at the request of the applicant, no additional fee shall be charged.

9. The maximum fee for an application shall not exceed.....$1000.00

(b) Applicants requesting renewals of variances granted on a year-to-year basis shall not be required to pay an application fee. (2322)

SECTION 12.09 TIME LIMIT FOR VARIANCES. Any variance authorized by Resolution shall become void and of no effect six (6) months from and after the date of the resolution granting the same, unless within such period of six (6) months a building permit for the building or structure involved embodying the substantive matter for which the variance was granted shall have been issued and taken out; or if the use or adoption of such variance does not require the issuance of a building permit, unless the requested action permitted by the variance shall have taken place within the said six (6) months period. Whenever the six (6) months period has elapsed without action by the applicant, he shall be required to file a new application as set forth in Section 12.08 hereinabove.

However, upon application, the City Manager may, after review and determination that substantial progress has been achieved by the applicant in terms of project planning, extend the expiration date of the variance for an additional period of time not to

exceed six (6) months. Said extension request shall be filed with the City Manager two (2) weeks prior to the expiration of the initial six (6) months effective period of the variance. (1836,1845,1884, 1908)

SECTION 12.10 LIMITATION OF SUBSEQUENT APPLICATIONS. Whenever any application for a variance shall have been finally determined, no other or further application for a variance with reference to the particular property affected by said application or with reference to other property similarly situated, will be considered for a period of one (1) year following the date of such action. Should conditions affecting such property materially change, in the opinion of the Board of Adjustment, or should a modified plan be presented to the Board of Adjustment either of which in the opinion of the Board of Adjustment would justify action before the expiration of such one (1) year period, the Board of Adjustment by five-sevenths (5/7) majority may permit the filing of such application notwithstanding the provision of this Code. (1675,1836,1884,1908,2300)

SECTION 12.11 EXPENSES, BOARD MEMBERS. Each member of the Board of Adjustment except the Chairman, shall receive the sum of Twenty-five ($25.00) Dollars for each regular or special meeting of the Board of Adjustment attended by such member. The chairman shall receive the sum of Thirty ($30.00) Dollars for each regular or special meeting attended by him. This sum shall not be considered as compensation but shall be considered as travel and other necessary expenses incurred in the performance of their official duties. (1720,1884,1908,2300,2375)

13. PLANNING AND ZONING BOARD - PROCEDURE

SECTION 13.01 APPOINTMENT OF BOARD. A Planning and Zoning Board is hereby established which shall consist of seven (7) members, five (5) of whom shall be appointed by the City Commission, one (1) of whom shall be nominated by the City Manager, subject to approval of the City Commission and one (1) of whom shall be nominated by the six (6) members so appointed, subject to approval of the City Commission. In the event that the six (6) members shall fail to agree on the seventh (7) member, such member shall then be nominated by the City Commission after a thirty (30) day waiting period. All members, except the five (5) members appointed by the City Commission, shall be associated with and ethically responsible to professions having a membership generally familiar with planning and zoning principles; such professions may include Architects, Engineers, Attorneys, Appraisers, Contractors, Realtors, etc. A member of the Planning Department shall be named by the City Manager to act as a non-voting ex-officio member of the Board and shall be Secretary of the Board. (1836,1884,1896,1908,2160,2300,2316)

SECTION 13.02 TERMS. The term of each member shall be for a period expiring on May 31, 1971. Thereafter all appointments shall be for a two year period commencing June 1 and ending on May 31 of the next odd year or until their successor is appointed. Any member may be removed by a majority vote of the City Commission. Appointments for replacements of any member due to death, resignation or removal shall be for the unexpired term. (1884,1908)

SECTION 13.03 ORGANIZATION AND MEMBERS. The members of the Planning and Zoning Board shall elect one of its members to serve as Chairman. The term of the first Chairman so named shall terminate on May 31, 1971; thereafter the term of the Chairman named by the Board shall be for a period of one (1) year but not later than May 31 of the year following the date of appointment. Nothing shall prevent the Board from naming a Chairman to succeed himself. Each member of the board shall be a resident citizen, domiciliary of the City of Coral Gables and an owner of real property, or spouse of owner, in the City of Coral Gables during the term of appointment and also for at least five (5) years prior to appointment. (1884,1908,2248,2300)

SECTION 13.04 MEETINGS - RECORDS. The Planning and Zoning Board shall hold regular meetings on the third Monday of each month, and special meetings at such times as the Board may determine or at the call of the Chairman or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Board. Four (4) members of the Board shall constitute a quorum and the affirmative vote of a majority of the Board shall be necessary for the adoption of any motion thereof. A written record of the proceedings of the Board shall be kept, showing its action on each question considered. Such record shall be filed in the office of the Secretary of the Board, and shall be open for public inspection. (1773, 1836, 1884, 1908, 2120, 2300, 2401)

SECTION 13.05 AUTHORITY AND POWERS OF THE PLANNING AND ZONING BOARD. The Planning and Zoning Board shall have the following authority and powers: (2300)

(a) Recommend to the City Commission for adoption of a Comprehensive Plan for the physical development of the City of Coral Gables and periodic amendments thereto. In conducting its work the Planning and Zoning Board may consider and investigate any subject matter tending to the development and betterment of the municipality and may make recommendations as it may deem advisable concerning the adoption thereof to the City Commission. Such Comprehensive Plan may show among other things, existing and proposed streets, highways, expressways, bridges, tunnels and viaducts, and approaches thereto, routes of railroads and transit lines; terminals, ports and airports; parks playgrounds; forests, reservations and other public open spaces; sites for public buildings and structures; districts for residences, business, industry, recreation, agriculture and forestry, special districts for other purposes; limited development districts for purposes of conservation; water supply, sanitation, drainage, protection against floods, and the like; areas for housing, slum clearance, urban renewal and redevelopment; location of public utilities whether publicly or privately owned, including but not limited to sewerage and water supply systems; together with time and priority schedules and cost estimates for the accomplishment of the proposals. The Comprehensive Plan shall be based upon and include appropriate studies of the location and extent of present and anticipated use of land, population, special and economic resources and problems, and other useful data. The

Comprehensive Plan shall be a public record, but its purpose and effect shall be solely to aid the Planning and Zoning Board in the performance of its duties. Before recommending the adoption of or any amendments to the Comprehensive Plan, a public hearing shall be held by the Board.

(b) Initiate public hearings and recommend to the City Commission such amendments to the Subdivision Ordinance of the City of Coral Gables as it may deem proper and expedient, or necessary to clarify or to carry into effect the purpose thereof, and in accordance with the requirement of Chapter 177 of Florida Statutes entitled "Maps and Plats".

(c) Hold public hearings on requests for amendments to the Zoning Code, and submit recommendations to the City Commission.

(d) Initiate public hearings and recommend to the City Commission such amendments to the Zoning Code as it may deem proper and expedient, or necessary to clarify or to carry in effect the purposes thereof.

(e) Hold public hearings on requests for special uses (See Section 3.12) or requests for a specifc non-complying or qualified use without change of use district (See Section 3.11) and submit recommendations to the City Commission.

(f) Hear applications and submit recommendations to the City Commission on proposed subdivision plats.

The Planning and Zoning Board in considering an application for a change of zoning may recommend to the City Commission that any ordinance passed and adopted in connection with the rezoning shall provide that the proposed building shall be in accordance with the plans submitted with the rezoning application or subsequently revised during the hearings, provided, however, that the plans submitted for the building permit shall comply with the "Zoning Code", "South Florida Building Code" and all other applicable codes and regulations and the issuance or granting of a permit for the construction of a building on the property shall not be construed as permitting construction in violation of such regulations. (2414)

If the recommendations of the Planning and Zoning Board are adverse to any change or amendment, such change or amendment may be approved by a majority vote of the City Commission. (1584, 1836, 1884, 1908, 2300, 2401)

SECTION 13.05.1 AMENDMENTS TO THE ZONING CODE. No recommendation to the City Commission shall be made by the Planning and Zoning Board regarding amendments to the Zoning Code without a public hearing having been held before such Board after notice of such public hearing being given in the manner provided for under Section 13.06 of this Code. (2461)

SECTION 13.06 NOTICE OF HEARINGS. In every case where an amendment to this Code or to the Comprehensive Plan is requested or proposed, the Secretary of the Planning and Zoning Board shall cause a notice of public hearing to be given in the following manner: (1836, 1884, 1908, 2115, 2300, 2461)

(a) **TYPES OF NOTICES.** The requirements for the type of public notices shall be as follows:

1. **NEWSPAPER PUBLICATION.** A public notice of such amendment to this Code or to the Comprehensive Plan shall be published one time in a newspaper of general circulation published in the City of Coral Gables, or in Dade County, Florida, at least ten (10) days prior to the date of such hearing.

2. **POSTING PROPERTY.**

(a) All property being considered by the Planning and Zoning Board for rezoning shall be posted at least ten (10) days in advance of the public hearing. Such posting shall consist of a sign, the face surface of which shall not be larger than forty (40) square inches in area, the color of which shall be day-glo orange with black lettering and shall contain the following language:

NOTICE
OF
RE-ZONING

PHONE: EXT.
HEARING DATE: HEARING NO.

(b) The sign shall be erected in full view of the public on each street side of such property. Where large parcels of property are involved with street frontages extending over considerable distances, as many signs shall be erected on the street frontage as may be deemed adequate by the Planning Department to inform the public.

(c) If such sign be placed on a vacant lot or parcel of land, it shall be securely nailed or otherwise fastened securely, to a stake or post which itself shall be fastened securely into the ground. Said sign shall not be located nearer than ten (10) feet nor more than fifteen (15) feet from the street property line, provided however, that where said property is improved by a building, the main part of which is less than ten (10) feet from said street property line, the sign may be placed upon the front and/or side of the building, or upon a front and/or side door and/or window of the building. Whenever a building on improved property is located more than ten (10) feet from the street property line, the sign shall be erected as provided for on vacant property.

(d) The height of such sign shall be erected to project not more than three (3) feet above the surface of the ground.

(e) It shall be a misdemeanor in the second (2nd) degree punishable pursuant to Florida Statute 775.082 and 775.083 if any unauthorized person shall tamper with or remove the signs posted pursuant to this section.

3. **MAIL NOTICES.** Individual notices of such amendments to this Code may be given in person or by mail, to the owners of record of all property within three hundred (300) feet of the property under consideration provided however, that in case of notice by mail, such notice shall be mailed not less than five (5) days before the date of the hearing.

(b) **CONTENTS OF NOTICE.**

1. All such notices published in a newspaper and/or mailed to the affected property owners shall state in substance the change desired to be affected, and shall give the date, time and place of the public hearing.

SECTION 13.07 PROCEDURE FOR APPLICATIONS. Applicants proposing amendments to this Code or to the Subdivision Ordinance or requesting approval of a Special Use, or Non-complying or Qualified Use without change of Use District shall file a written request therefor with the Secretary of the Planning and Zoning Board on forms prescribed by him. A public hearing shall be held within sixty (60) days from the date the application is filed in the office of the Secretary of the Planning and Zoning Board. The applicant shall be required to pay the following fee at the time of filing such application: (1836, 1884, 1908, 1939, 2295, 2300, 2461)

1. For a regular meeting of the Planning and Zoning Board:

   (a) Two Hundred Dollars ($200.00)

2. For a special meeting of the Planning and Zoning Board:

   (a) Four Hundred Dollars ($400.00)

All applications for a change of zoning on unsubdivided land or on large tracts of land which is susceptible to being subdivided shall be accompanied by a "Tentative" Subdivision Plat, filed in accordance with the Subdivision Ordinance as set forth under Chapter 29 of the Code of the City of Coral Gables and acted upon concurrently with the application for a change of zoning.

SECTION 13.08 LIMITATION OF SUBSEQUENT APPLICATIONS. Whenever any application requesting a change in zoning or amendments to this Code shall have been finally determined, no other or further application for a change in zoning or amendment to this Code with reference to the particular property affected by said application, or with reference to other property similarly situated, will be considered for a period of one (1) year following the date of such action. Should conditions affecting such property or amendment materially change, in the opinion of the City Commission, or should a modified plan of rezoning or revised amendment be presented to the City Commission, either of which in the opinion of the Commission would justify action before the expiration of such one (1) year period, the Commission by four-fifths (4/5) majority may permit the filing of such application for rezoning or amendment, notwithstanding the provisions of this Code. (1675, 1836, 1884, 1908)

SECTION 13.09 EXPENSES. Each member of the Planning and Zoning Board, except the chairman, shall receive the sum of Twenty-Five Dollars ($25.00) for each regular or special meeting of the Planning and Zoning Board attended by such member. The chairman shall receive the sum of Thirty Dollars ($30.00) for each regular or special meeting attended by him. This sum shall not be considered as compensation, but shall be considered as travel and other necessary expenses incurred in the performance of their official duties. (1720, 1884, 1908, 2300, 2375.)

14. APPEALS

SECTION 14.01 APPEAL FROM DECISIONS OF THE BOARD OF ADJUSTMENT. An appeal from any decision of the Board of Adjustment upon any matter initiated before such Board, or before it upon appeal from the decision of the Board of Architects, Structural Engineer, Building and Zoning Director, or any administrative official of the City may be taken to the City Commission by any person who is aggrieved by such decision, or by any property owner's association, member of the Board of Adjustment, member of the Planning and Zoning Board, member of the City Commission or any officer of the City. Any person desiring to appeal a decision of the Board of Adjustment shall, not less than five (5) days and within fourteen (14) days from the date of such decision, file a written notice of appeal with the City Clerk, whose duty it shall then become to send a written notice of such appeal to all persons previously notified by the Board of Adjustment. The matter shall then be heard by the City Commission at its next meeting, provided at least ten (10) days has intervened between the time of the filing of the notice of appeal and the date of such meeting; if ten (10) days shall not intervene between the time of the filing of the notice and the date of the next meeting, then the appeal shall be heard at the next following regular meeting of the City Commission and the City Commission shall render a decision without any unnecessary or undue delay. Any aggrieved person or their agent or representative, filing an appeal from a decision of the Board of Adjustment upon any matter which they have initiated before said Board shall pay a fee of thirty dollars ($30) to the City Clerk upon filing such appeal. Any other aggrieved person filing an appeal from a decision of the Board of Adjustment shall not be required to pay an appeal fee. An appeal shall stay all proceedings in the matter appealed from until the final disposition of the appeal by the City Commision.

Any appeal of a decision by the Board of Adjustment may be approved by a majority vote of the City Commission. The granting of any appeal by the City Commision shall be by resolution. (1884, 1908, 2209, 2268, 2300, 2360, 2401)

SECTION 14.02 APPEALS FROM DECISION OF THE CITY COMMISSION. Any appeal from the decision of the City Commission may be taken by any person or persons jointly or severally, aggrieved by any decision of the City Commission by presenting to the Circuit Court a petition for issuance of a Writ of Certiorari, duly certified, setting forth that such decision is illegal, in whole or in part, certifying the grounds of the illegality, provided same

is done in the manner and within the time provided by Florida Appellate Rules. (1884, 1908)

15. PENALTIES, REMEDIES AND MISCELLANEOUS

SECTION 15.01 VIOLATION AND PENALTIES. For any and every violation of the provisions of this Code the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, builder, contractor, sub-contractor or any person who commits, takes part in or assists in such violation or who maintains any building or premises in which any such violations shall exist, shall for each and every violation and for each and every day or part thereof that such violation continues, be subject to a fine of not more than five hundred dollars ($500), or imprisonment in the county jail for a term not exceeding sixty (60) days, or both, at the discretion of the County Judge. Legal remedies for violations shall be had and violations shall be prosecuted in the same manner, as is prescribed by law or ordinance for the prosecution of violations of other ordinances of the City of Coral Gables. (1884, 1908, 2417)

SECTION 15.02 REMEDIES. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used, in violation of this Code or any other ordinances or lawful regulations, the Code Enforcement Officer of the City of Coral Gables shall take the following action: (1884, 1908, 2387)

(1) Upon receipt of a complaint of an alleged code violation report back to the complainant, within a period of ten (10) days, the disposition of the alleged violation.

(2) Where it has been determined that a violation exists, issue a written notice specifying the violation and directing the owner to correct such violation within a period of seven (7) days at which time a reinspection shall be made of the premises to verify the continuing violation, and

(3) Should the reinspection determine that the violation still remains, the Code Enforcement Officer shall issue a second violation notice to the owner by Certified Mail, Return Receipt Requested, specifying that if said violation is not corrected within a period of fourteen (14) days from the date of the first notice, the case shall be set for a hearing before the Code Enforcement Board of the City of Coral Gables.

The proper authorities of the City of Coral Gables, in addition to the remedies herein provided for, may institute any appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to impose a penalty for such violation or to restrain, correct or abate such violation in order to prevent the occupancy or use of said building, structure or land contrary to the provision hereof, or to prevent any illegal act, conduct, business or use in or about such premises.

SECTION 15.03 VALIDITY OF ORDINANCE REPEAL. If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair, invalidate or nullify the remainder of this ordinance, but in effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgement or decree shall be rendered. (1884, 1908)

SECTION 15.04 EFFECT OF PRESENT ORDINANCES. This ordinance shall not be construed as repealing or modifying any other valid ordinance of The City of Coral Gables now in effect which restrict the location of industries, enterprises, occupations, establishments or entertainments of any kind, except insofar as this ordinance shall be in conflict therewith. (1884, 1908)

PASSED AND ADOPTED THIS TWENTY-SECOND DAY OF FEBRUARY, A.D. 1966.

APPROVED:
C. L. DRESSEL
MAYOR

ATTEST:
LORETTA V. SHEEHY
CITY CLERK

NOTE: The number of amending ordinances are shown in parentheses following or adjoining the subject matter affected.