

TOWN OF HASTINGS, FLORIDA

TOWN CODE

LAND DEVELOPMENT REGULATIONS

ARTICLE VII

SUPPLEMENTAL/ACCESSORY STRUCTURES AND USES

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Sec. 7.00.00 PURPOSE It is the purpose of this Article to regulate the installation, configuration, and use of accessory structures, and the conduct of accessory uses, in order to ensure that they are not harmful either aesthetically or physically to residents and surrounding areas.

Sec. 7.01.00 ACCESSORY STRUCTURES

Sec. 7.01.01 General Standards And Requirements Any number of different accessory structures may be located on a parcel, provided that the following requirements are met:

- A. There shall be a permitted principal development on the parcel, located in full compliance with all standards and requirements of this Code.
- B. All accessory structures shall comply with standards pertaining to the principal use, unless exempted or superseded elsewhere in this Code.
- C. Accessory structures shall not be located in a required buffer, landscape area, or minimum building setback area.
- D. Accessory structures shall be included in all calculations of impervious surface and stormwater runoff.
- E. Accessory structures shall be shown on any development plan with full supporting documentation as required in Article XI of this Code.

Sec. 7.01.02 Swimming Pools, Hot Tubs, and Similar Structures

- A. Swimming pools shall be permitted only in side and rear yards.
- B. Enclosures for pools shall not be considered a part of the principal structure and shall comply with standards for minimum distance between buildings, yard requirements, and other building location requirements of this Code.
- C. All pools shall be completely enclosed with an approved wall, fence or other substantial structure not less than five (5) feet in height. The enclosure shall completely surround the pool and shall be of sufficient density to prohibit unrestrained admittance to the enclosed area through the use of self-closing and self-latching doors.
- D. No overhead electric power lines shall pass over any pool unless enclosed in conduit and rigidly supported, nor shall any power line be nearer than ten (10) feet horizontally or vertically from the pool's water edge.
- E. Excavations for pools to be installed for existing dwellings shall not exceed a 2:1 slope from the foundation of the house, unless a trench wall is provided.

Sec. 7.01.03 Fences

- A. All fences to be built shall comply with the Standard Building Code. The posts of each fence must be resistant to decay, corrosion, and termite infestation. The posts must also be pressure-treated for strength and endurance.

- B. Fences or hedges may be located in all front, side and rear yard setback areas. No fences or hedges shall exceed four (4) feet in height when placed in the front yard (the yard abutting a road or public right-of-way). Each fence located in the side and rear yard setbacks shall not exceed the height of eight (8) feet.
- C. Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing that right-of-way.
- D. A fence required for safety and protection of hazard by another public agency may not be subject to height limitations above. Approval to exceed minimum height standards may be given by the Town Council upon review of satisfactory evidence of the need to exceed height standards.
- E. No fence or hedge shall be constructed or installed in such a manner as to interfere with drainage on the site.

Sec. 7.02.00 ACCESSORY USES

Sec. 7.02.01 Home Occupations A home occupation shall be allowed in a bona fide dwelling unit, subject to the following requirements:

- A. No person other than members of the family residing on the premises shall be engaged in such occupation.
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character of the structure.
- C. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, other than one sign not exceeding one square foot in area, non-illuminated, mounted flat against the wall of the principal building at a position not more than two (2) feet from the main entrance of the residence.
- D. No home occupation shall occupy more than twenty (20) percent of the first floor area of the residence. No accessory building, freestanding or attached, shall be used for a home occupation.
- E. No traffic shall be generated by such occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a front yard required pursuant to this Code.
- F. No equipment, tools, or process shall be used in such a home occupation which creates interference to neighboring properties due to noise, vibration, glare, fumes, odors, or electrical interference. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, telephone, or television receivers off the premises or causes fluctuations in line voltage off the premises.
- G. Fabrication of articles commonly classified under the terms arts and handicrafts may be deemed a home occupation, subject to the other terms and conditions of this definition.
- H. Outdoor storage of materials shall not be permitted.
- I. A home occupation shall be subject to all applicable town occupational licensing requirements, fees, and other business taxes.

Sec. 7.02.02 Recreation Centers, And Other Amenities

- A. Generally Residential development projects may provide amenities for the exclusive use of the residents of the project. Such amenities shall be allowed only as provided below.
- B. Community Centers/Recreation Centers Residential projects may provide a central facility to provide a meeting place and indoor recreation opportunities for residents subject to the following restrictions:
 - 1. Such facilities shall not be available to the general public.
 - 2. Parking to serve the building shall be provided as required by Article VII of this Code.
 - 3. There shall be no identification signs, other than directional signs pursuant to Article X of this Code.

Sec. 7.03.00 SUPPLEMENTAL USES

Sec. 7.03.01 Temporary Construction Trailers, Residences & Sales Offices A temporary construction or trailer or residence or sales office used in accordance with an approved regulation permit shall be allowed upon receipt of an administrative permit from the town and shall be removed immediately upon completion of the project. The trailer or sales office will be located within the project boundaries.

Sec. 7.03.02 Special Events A permit for a special event must be obtained from the town at least seven (7) days prior to the event. The permit will be granted based on the following criteria:

- (1) The hours of operation are compatible with adjacent land uses.
- (2) The amount of noise or visual pollution generated shall not be disruptive to activities land uses adjacent to the special event site.
- (3) The promoter or land owner guarantee that all litter will be removed at their own expense.
- (4) The parking generated by the event can be accommodated on site.
- (5) In the case where the event is to be held on public property, the promoter or landowner will be required to supply the town with an insurance certificate naming the town as a "additional insured" with the minimal coverage of one million dollars comprehensive general liability insurance.
- (6) The town may require a cash deposit to cover the cost of security and clean up required by the event.