
Sec. 47-39.A.1.b. General provisions.

The following general provisions shall apply to all property located in the Melrose Park and Riverland Road areas, as defined by this section, except as specified herein. Where certain provisions do not appear in this section and appear in other sections of the ULDR, the ULDR shall apply.

- (1) *Easements.* No permanent structure except a wood or chain link fence shall encroach upon or into any easement of record. No structure or use shall encroach upon or obstruct access through any easement specifically granted for ingress or egress purposes.
- (2) *Double frontage.* Where a plot is bounded on two (2) opposite sides by public or private rights-of-way or streets with no platted nonvehicular access line or landscape easement on one (1) of the two (2) sides, front yards shall be provided on both such sides. Accessory buildings shall not be located in either front yard.
- (3) *Yard encroachments.* All required yards shall be open and unobstructed from ground to sky except as follows or as otherwise permitted in this article for zero lot line developments:
 - (a) Sills, columns, ornamental features, chimneys, eaves, and awnings may project thirty-six (36) inches into a required yard.
 - (b) Fire escapes, stairways, balconies or canopies which are unenclosed, and air conditioning units may project three (3) feet eight (8) inches into a required side or rear yard.
 - (c) An unenclosed and unroofed patio or deck not higher than the first floor level of the principal building may be located in any required yard which is not contiguous to a street to within five (5) feet of a plot line. A ground-level slab or patio may be located within fifteen (15) feet of a front plot line. For unenclosed and unroofed patios and decks located in RS-6.85B, Section 47-19.2.G shall apply.
 - (d) On a plot containing a one-family detached or two-family dwelling, side and rear yards not abutting a street may be reduced to five (5) feet for accessory uses and buildings.
 - (e) Accessory buildings may not exceed one (1) story on any plot containing a one-family detached dwelling.
 - (f) Accessory buildings shall not exceed half the height of any principal building on plots containing two-family or multiple-family dwellings. On any plot containing grouped dwellings of varying heights, accessory buildings shall not exceed half the height of the lowest building on the plot.
 - (g) One-story accessory buildings shall be at least ten (10) feet from any other accessory building and from any principal building on the same plot. The distance between any principal and accessory buildings on the same plot, where the accessory building is higher than one-story, shall be half the height of the highest principal building.
 - (h) The aggregate floor area of all accessory buildings shall not exceed five (5) percent of the plot area.
 - (i) No accessory building shall contain more than fifty (50) percent of the floor area of the principal building.
- (4) *Fences, walls and hedges.* Fences, walls, or hedges may be erected, planted, and maintained upon any plot line and in required yards of residentially-zoned property to a maximum height of six (6) feet, except as follows:
 - (a) On a lot line not at a corner, where a residential plot abuts commercial or industrially-zoned property, a fence, wall, or hedge may be a maximum height of eight (8) feet.

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- (b) On a corner lot, no opaque fence, wall or hedge may exceed thirty (30) inches within twenty-five (25) feet of the intersection of the front and side street property lines.
 - (c) Barbed wire, electrified or razor wire fences, or barbed, electrified or razor wire-topped fences or walls are prohibited on any residentially-zoned property.
 - (d) Fence height shall be measured from the established grade.
- (5) *Swimming pools and spas.* All residential swimming pools and spas shall be constructed in conformity with the following requirements:
- (a) All swimming pools and spas shall be completely enclosed by either an open-mesh screen enclosure or a fence or wall a minimum five (5) feet in height above the ground, measured from the outside of the fence. Fences or walls shall be of such design and material as will prevent unauthorized access to the pool area. All screen doors and fence gates must be equipped with self-closing, self-latching mechanisms.
 - (b) On plots containing a one- or two-family dwelling, swimming pools and spas may be placed in required side or rear yards subject to the limitations of Section 47-39.A.1.b.(3)(d). For purposes of this subsection, the minimum setback from a plot line shall be measured beginning three (3) feet from the outermost edge of the waterline of the swimming pool or spa for fenced pools and spas, and from the exterior of the screen enclosure for screen enclosed swimming pools and spas.
 - (c) Swimming pools or spas on plots which directly abut a waterway or other water area shall not require enclosure along such waterway or water area.
 - (d) For swimming pools and spas located in RS-6.85B, Section 47-19.2.BB shall apply, except that such swimming pools and spas shall not be located in the required front yard.
- (6) *Storage on residential property.*
- (a) Residentially-zoned land shall not be used for the storage of building materials or construction equipment except during active construction on the plot where the materials or equipment are located, and provided that a valid permit is in effect for the construction project, and the materials and equipment stored on the plot are necessary for the permitted construction project.
 - (b) The open air storage of any item is prohibited in residential zoning districts with the exception of usable lawn, garden or pool furniture or equipment, barbecues, toys, bicycles, or trash cans being used by the residents of the dwelling on the plot where such items are stored.
 - (c) Storage or parking of private passenger vehicles in residential zoning districts shall be in accordance with Section 47-39.A.14, Off-street Parking and Loading.
- (7) *Commercial vehicles.*
- (a) It shall be unlawful to park or store any commercial vehicle or equipment on public or private property in all residential zoning districts, except for the following:
 1. One (1) commercial vehicle weighing five thousand (5,000) pounds or less may be parked or stored in a carport or garage, or in a side or rear yard if completely hidden from view of all adjacent properties.
 2. Nothing shall prohibit the temporary parking of any commercial vehicle or equipment while its owner or operator is performing lawful and authorized public or private work as follows:
 - a. Tradesmen performing service or construction work or making deliveries of merchandise or household items;

- b. Public utility service work or emergency vehicles, including law enforcement vehicles.

(8) *Dumpsters and dumpster enclosures.*

- (a) Dumpsters and dumpster enclosures shall be required on all residential plots containing four (4) or more dwelling units unless:
 - 1. There is a carport, garage, or other enclosed area suitable for storage of waste containers, attached to each individual dwelling unit on the plot; and
 - 2. That such carport, garage, or other enclosed area is used by the residents of the dwelling to store their waste containers when not being made available for trash pick-up.
- (b) Dumpsters shall be maintained free of jagged or sharp edges or inside parts which could prevent the free discharge of their contents.
- (c) Dumpsters shall be emptied by a licensed collector at intervals which will preclude overflow.
- (d) Dumpsters and the area around the dumpster and dumpster enclosure shall not be used for disposal of furniture and major appliances, except during a scheduled bulk pick-up by a licensed collector.
- (e) All dumpster pads shall be at least two (2) feet larger than the dumpster on all sides. Wheel stops or posts shall be permanently affixed to the pad at least one (1) foot inside the perimeter of the enclosure to prevent the dumpster from striking the enclosure during collection.
- (f) The dumpster, dumpster enclosure, and all surrounding areas shall be maintained by the property owner in accordance with this section, and shall be kept free of overflowing refuse at all times, except on a scheduled pick-up date. If a continuous problem of insufficient dumpster capacity is proven to exist, additional or larger capacity dumpsters and enclosures or increased frequency of pick-up shall be required in order to eliminate the overflow problem.
- (g) Dumpsters and dumpster enclosures shall be located in a position accessible for collection by the equipment of the collector.
- (h) Dumpsters may be placed in the ground, provided the floor and walls of the enclosure are constructed of an impervious material. Any portion of the dumpster which is visible above the ground shall be screened with landscape material.
- (i) Dumpsters not placed in the ground shall be stored on a concrete pad, in accordance with the South Florida Building Code, at all times except twelve (12) hours before or after scheduled refuse collection and twenty-four (24) hours before or after special bulk waste collection.
- (j) The perimeter of the dumpster pad shall be enclosed on three (3) sides by an enclosure no less than the height of the dumpster plus six (6) inches. The enclosure shall be of translucent material allowing the detection of movement from one (1) side to the other side of the enclosure. The remaining side of the dumpster enclosure shall be enclosed with gates constructed in accordance with Section 47-39.A.1.b.(8)(k) below.
- (k) The gates of the enclosure shall be constructed of a frame with translucent walls affixed thereto, and shall be of a material of sufficient strength to withstand normal use. Gates shall be attached to metal posts at least three (3) inches in diameter with at least two (2) hinges. Each gate shall have a wheel at the bottom to prevent sagging and shall have drop pins or rods to hold the gates in place in both open and closed positions.
- (l) All dumpster enclosures consisting of living plants shall conform to the requirements of Section 47-39.A.13 Functional Landscaping and Xeriscaping.

- (m) On residential plots developed prior to June 16, 1995, where no other suitable location exists, upon application and receipt of a permit from the City of Fort Lauderdale, a residential dumpster and dumpster enclosure may be located within a required parking space or yard area.
- (9) *Recreational vehicles and boats.* In all residential zoning districts currently licensed recreational vehicles and boats may be parked or stored on plots containing a dwelling, subject to the following:
- (a) Parking or storage of recreational vehicles or boats shall be limited to vehicles or boats owned by the occupants of the property or their guests.
 - (b) Maintenance of recreational vehicles or boats shall not be permitted in a residential zoning district with the exception of cleaning or replacement of tires, batteries, spark plugs or other minor repairs which do not involve the exchange of engine parts or paint or body work.
 - (c) At no time while parked or stored in a residential zoning district shall sewer or electrical service connections be attached to a recreational vehicle or boat, except that electrical service connections may be attached for a maximum of forty-eight (48) hours prior to and in preparation for departure from the property.
 - (d) All boats, except canoes and boats less than twelve (12) feet in length, must be on a currently licensed boat trailer.
 - (e) In addition to the limitations in Section 47-39.A.1.b.(9) (a), (b), (c) and (d) above, on a plot containing a one- or two-family dwelling:
 - 1. Not more than one (1) boat and one (1) recreational vehicle may be parked or stored outside of a carport or fully enclosed building.
 - 2. No recreational vehicle or boat shall be parked or stored in a location, which causes the recreational vehicle or boat to encroach onto a street or in any location which visually obstructs vehicle egress from contiguous properties.
 - (f) In addition to the limitations in Section 47-39.A.1.b.(9) (a), (b), (c), (d) and (e) above, on a plot containing three (3) or more dwelling units:
 - 1. One (1) recreational vehicle and one (1) boat per dwelling unit may be parked or stored on the plot outside of a carport or fully enclosed building, if an area specifically designated for such use is provided.
 - 2. No part of any required off-street parking facility or required landscape area may be used for parking or storage of recreational vehicles or boats.
- (10) *Repair and maintenance of vehicles.*
- (a) Mechanical repairs to private passenger vehicles belonging to occupants of a dwelling shall be permitted inside a residential garage.
 - (b) Only minor repairs limited to tire, battery, sparkplug, or oil replacement may be performed in a carport or in the open air.
 - (c) No storage of parts or equipment shall be permitted at any time outside of a garage.
 - (d) Auto body work and painting shall be prohibited in any residential area.
 - (e) Any repair or maintenance of vehicles conducted pursuant to this section shall conform to all other provisions of the ULDR.
- (11) *Boathouses, boat slips and boat lifts.* The following regulations shall apply to boathouses, boat slips and boat lifts in residential districts:

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- (a) No boathouse or boat lift shall exceed a height of fifteen (15) feet.
- (b) No boathouse shall be built less than five (5) feet from the established bulkhead or waterway line or less than ten (10) feet from any side plot line.
- (c) No boathouse shall exceed twenty (20) feet in width and forty (40) feet in depth.
- (d) No boathouse, boat slip or boat lift shall be constructed or altered to be less than ten (10) feet from any side plot line.
- (e) No boathouse, boat slip or boat lift may extend more than thirty-three (33) percent of the width of the waterway, or twenty-five (25) feet into the waterway, whichever is less, as measured from the recorded property line along the waterway.
- (f) Nighttime reflectors shall be affixed to any boathouse or boat lift extending more than five (5) feet into any waterway.
- (g) For boatlifts located in RS-6.70, Section 47-19.3 shall apply.
- (12) *Docks and moorings.* Docks and moorings for pleasure boats, yachts and other noncommercial watercraft shall be permitted in residential zoning districts on any waterway or water area as an accessory use to a permitted residential occupancy of a plot, subject to the following:
- (a) No dock shall project more than five (5) feet into any waterway beyond the property line along the waterway or the established bulkhead line. No dock shall extend closer than ten (10) feet to the plot line of any other residentially-zoned property.
- (b) Mooring pilings shall be permitted, provided they do not project into any waterway more than thirty-three (33) percent of the width of the waterway, or twenty-five (25) feet, whichever is less, as measured from the recorded property line. No mooring piling shall be situated closer than ten (10) feet to any lot line of contiguous property.
- (c) Nighttime reflectors shall be affixed to any mooring piling extending more than five (5) feet into any waterway.
- (d) Vessels docked at or moored to private docks or by mooring pilings shall not extend into a waterway more than thirty-three (33) percent of the width of the waterway measured from the recorded property line.
- (e) No vessel of any kind shall dock at, moor to, or tie up to a private seawall, dock or mooring piling or be beached upon private property without the permission of the owner or legal occupant of the residence immediately adjacent to the private seawall, dock, mooring piling, or beach. Nothing, however, shall prohibit vessels or persons in distress from mooring to, tying up to, or beaching on private property, in an emergency situation, for a maximum of seventy-two (72) hours from the time the vessel is initially moored, docked, tied up to, or beached on the private property. At the end of the seventy-two (72) hour period, the owner or occupant of such private property may request the City of Fort Lauderdale to initiate the appropriate procedures to remove the vessel.
- (f) The owner of the property or person in charge of or occupying a vessel shall at all times keep the docks, seawalls and premises adjacent to such vessel in a neat and orderly manner and free from litter, repair parts, machinery, equipment and debris of any kind.
- (g) *[Reserved.]*
- (h) No vessel shall be docked, moored or anchored adjacent to residential property in such a manner that it extends across the property line of contiguous property. For vessels located in RS-6.85B, Section 47-19.3 shall apply.

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- (i) For docks located in RS-6.85B and RD-12.22, and for moorings located in RS-6.85B, Section 47-19.3 shall apply.
 - (j) The city commission may waive the mooring device limitations as more particularly set forth in Section 47-19.3.(e). of the ULDR.
 - (13) *Tidal flood protection.* The provisions of Section 47-19.13 of the ULDR shall apply to all property located in the Melrose Park and Riverland Road areas.
 - (14) *Household pets.* Livestock such as horses, cattle, sheep, goats, hogs, pigs, and poultry shall not be permitted as pets.
 - (15) *Grouped housing.* Where two (2) or more separate buildings for dwelling purposes are erected on the same plot, minimum front, side and rear yards shall be provided around the perimeter of the plot as required by this code. The distance between such buildings shall be at least half the height of the higher of the two (2) buildings, but not less than ten (10) feet.
 - (16) *Minimum space and basic facility requirements for dwelling units.* No person shall occupy or allow occupancy of any dwelling unit which does not comply with the minimum standards specified herein.
 - (a) *Requirements for space.*
 - 1. Each dwelling unit shall have a minimum gross floor area of not less than one hundred fifty (150) square feet for the first occupant and not less than one hundred twenty (120) square feet for each additional occupant, of which forty (40) square feet shall be bedroom area, thirty (30) square feet shall be dining area, and fifty (50) square feet shall be living area.
 - 2. Every room in a dwelling unit shall have a gross floor area of not less than seventy (70) square feet and, when occupied by more than one occupant, shall have a gross floor area of at least (50) square feet for each occupant. Every room shall have a minimum width of eight (8) feet.
 - 3. Every dwelling unit shall have a minimum of twelve (12) square feet of floor area of closet space for the first bedroom and six (6) square feet of floor area for closet space for each additional bedroom. Kitchen closet space shall not be considered as meeting this requirement. All clothes closets must have a shelf and rod.
 - (b) *Basic sanitary facility requirements.*
 - 1. Each dwelling unit shall have not less than one (1) flush water closet, one (1) lavatory basin, and one (1) bathtub or shower for each six (6) persons, or fraction thereof, residing in the dwelling unit.
 - 2. Urinals shall not be substituted for water closets.
 - 3. All toilet and bath facilities shall be accessible from the interior of the dwelling unit.
 - (17) *Temporary sales offices.*
 - (a) A temporary sales office may be erected and used on the plot of a residential development during construction of the dwelling units in the project. The sales office shall be removed upon completion of the phase of the project utilizing the sales office, or three (3) years from the date of issuance of the Development Order for Building Permit for the first dwelling unit, whichever occurs first.
 - (b) In no case shall any temporary sales office be permitted to remain on the plot of the residential development if the Development Order or any permit for construction of the dwelling units in the project becomes invalid for more than a thirty-day time period.

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- (c) Any permit application for a temporary sales office shall be accompanied by a copy of an approved plat or site plan specifically delineating the boundaries of the phase of the project the sales office is to serve.
- (d) Only one (1) sales office shall be permitted to serve the area delineated in the project area.
- (18) *Signs.* Signs in any residential zoning district shall be subject to Section 47-39.A.15.
- (19) *Definitions.* Terms used in this article are defined in Section 47-39.A.2., Definitions and Measurements, of this Code.
- (20) *Landscaping.* All properties
- (Ord. No. C-09-27, § 1, 10-20-09; Ord. No. C-13-18, § 1, 6-4-13; Ord. No. C-23-05, § 3, 3-23-23)