

TOWN OF CALLAHAN, FLORIDA
ORDINANCE NO.: 2019-O05

AN ORDINANCE OF THE TOWN OF CALLAHAN TO AMEND CHAPTER 195 OF THE CALLAHAN CODE BY INCREASING FENCE HEIGHT; ALLOWING ACCESSORY STRUCTURE IN THE FRONT HALF OF LOTS; REQUIRING NON-COMMERCIAL USE OF GARAGES AND CARPORTS; REMOVING RESTRICTIONS REGARDING THE PLACE AND SIZE OF HOME OCCUPATIONS; ALLOWING TRAVEL AND BOAT TRAILERS IN FRONT YARDS; ALLOWING TEMPORARY OCCUPATION OF TRAVEL TRAILERS DURING REPAIRS OR RENOVATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 195 of the Code of the Town of Callahan governing land development contains certain provisions that are outdated or require revision; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CALLAHAN, FLORIDA, AS FOLLOWS:

Section 1. Section 195-34 of the Code of the Town of Callahan is hereby amended as follows:

Fences and walls ~~and hedges~~.

No fence, wall, or structure, ~~hedge or other continuous planting~~ shall be erected, placed or maintained on any lot line or within any rear or side yard in residential areas which exceed ~~six~~ eight feet in height, measured from the front of the building line to the rear property line. Fences in required front yards shall not exceed four feet in height, measured from the front of the building line to the front lot line. Height shall be measured from the natural contour of the ground of the particular lot in question.

Section 2. Section 195-37 of the Code of the Town of Callahan is hereby amended as follows:

Buffers.

All commercial, industrial and mobile home park development and off-street parking and loading areas shall be separated from adjacent residential property by a ~~continuous planted buffer~~, a solid wall or opaque fence that is at least six feet in height. ~~Such buffer, if planted, shall be composed of plants that possess growth characteristics which will produce a dense and compact permanent visual barrier within a twelve-month period. If the required height of six feet is not reached within this twelve-month period, the shrubbery shall be replaced with mature plants of the required height.~~

Section 3. Section 195-38(B) of the Code of the Town of Callahan is hereby amended as follows:

Detached accessory structures. In residential districts, detached accessory structures may be located in required rear and side yards,

provided that such structures are at least 10 feet from the principal structure and is located not less than six feet from the side and rear lot lines. ~~No detached accessory structure shall be located on the front half of any lot.~~

Section 4. Section 195-38(C)(5) of the Code of the Town of Callahan is hereby amended as follows:

Private garages and carports, ~~subject to the following conditions:~~
~~(a) No garage or carport, when used as an accessory to a single-family residence, shall be designed to accommodate more than two passenger vehicles. For multifamily residences, no more than two vehicles per dwelling unit.~~
~~(b) Garages and carports must be provided that they are used for noncommercial purposes only.~~

Section 5. Section 195-39 of the Code of the Town of Callahan is hereby amended as follows:

Home occupations.

Home occupations may be conducted in all residential districts subject to approval by the Town Council and compliance with the following provisions:

- A. No person except members of the immediate family residing on the premises shall be employed or engaged in the home occupation.
- ~~B. No home occupation shall be conducted in an accessory structure, but must be conducted in the residence of the proprietor.~~
- € B. The use of the premises for a home occupation shall be clearly incidental to its use as a residence and shall under no circumstances change the residential character thereof.
- Ð C. There shall be no change in the outside appearance of the residential structure or any visible evidence that a home occupation is being conducted, with the exception of a nonilluminated sign mounted flat against the residence's exterior. This sign shall not be larger than two square feet in area and shall be placed not more than two feet from the main entrance of the structure.
- ~~E. No home occupation shall occupy more than 25% of the floor area of the dwelling unit.~~

Section 7. Section 195-41 of the Code of the Town of Callahan is hereby amended as follows:

- A. No more than one commercial vehicle per dwelling shall be permitted and no vehicle used to transport explosives, gasoline, or hazardous materials.
- ~~B. Trailers used for travel, hauling and boats are permitted; however, such shall not be in front yard.~~
- € B. Travel trailers shall not be occupied, ~~either permanently, or temporarily.~~ Upon application, the Town Council may allow the

temporary occupation of travel trailers for no more than six months from the issuance of a building permit for repairs or renovations to existing residential structures that are rendered temporarily uninhabitable due to the repairs or renovations.

Section 8. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

Section 9. Any and all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 10. This Ordinance shall become effective upon its adoption.

ADOPTED THIS _____ DAY OF _____, 2019.

TOWN OF CALLAHAN, FLORIDA

Ken Bass, Town Council President

ATTEST:

APPROVED:

Town Clerk

Martin Fontes, Mayor

Date of First Reading:
Dates of Publication:
Date of Public Hearing
& Second Hearing:
Date of Final Passage: