

SECTION 142-312(b)(3)e.:

e. Rooftop areas that are accessible only to the owners or tenants or residential units may have trellis, pergolas, or similar structures that have an open roof of cross rafters or latticework. Such structures shall not exceed a combined area of 20 percent of the enclosed floor area immediately one floor below and shall be set back a minimum of ~~15~~ 20 feet from the property line and no less than 10 feet from the roof parapet on the street-facing facades.

SECTION 142-312(b)(3)f.:

f. Roof-top pools, not to exceed five feet above the roof slab, shall be limited to main use residential buildings, or mixed use/office buildings where at least 25% of the floor area is dedicated to non-transient residential units. Such pools may have up to a four-foot wide walkway around the pool. Additionally, bathrooms required by the Florida Building Code, not to exceed the minimum size dimensions required under the Florida Building Code, may be permitted provided such bathrooms are set back a minimum of ~~15~~ 20 feet from the property line and no less than 10 feet from the roof parapets on street-facing facades and shall not exceed 13 feet in height measured from the finished elevation of the roof deck or 16 feet in height measured from the roof slab, whichever is less.

SECTION 142-312(b)(3)i.:

i. Allowable height exceptions located within 25 feet of the ~~parapet~~ property line along a street facing façade of the building, or within 20 feet of an interior lot line abutting a residential use, shall not exceed 10 feet in height measured from the finished elevation of the roof deck or 13 feet in height measured from the roof slab, whichever is less. The Design Review Board may waive this minimum setback ~~from the parapet~~ along a street facing façade of the building, but in no instance shall the setback be less than 15 feet from the property line.

NEW SECTION 142-312(c):

(c) The provisions of this Ordinance shall not apply to an application that has submitted for Design Review Board approval on or before January 1, 2021. Any such development, if approved by the Design Review Board, shall be deemed a legally established “nonconforming building or structure” as defined in City Code Section 114-1, and shall be subject to the provisions of Chapter 118 of the City Code, at Article IX, entitled “Nonconformances.”