

ORDINANCE 2015-04

AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, PROVIDING FOR AMENDMENT OF THE LAND DEVELOPMENT CODE SECTION 7.15.03 COMMERCIAL BUILDING HEIGHT; 7.15.07 PMDD BUILDING HEIGHT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is committed to a fair and uniform application of its codes and ordinances, and;

WHEREAS, to foster economic growth and expansion the City finds that the current height limits tend to impede such growth and expansion, and;

WHEREAS, the City is committed to insuring that results of development and redevelopment do not interfere with the mission of the military, and;

WHEREAS, restricting building heights to conform to the recommendations and findings in the Joint Land Use Study accomplish compatibility with the military mission and allow for economic growth within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA THAT:

NOTE: Language contained within this ordinance that is ~~struck through~~ is proposed to be deleted, language which is underlined is proposed to be added, and \*\*\*\* denotes a section or sections of the existing Code that have been omitted and are to remain unchanged.

SECTION I - AMENDING

**Sec. 7.15.03 (H)**

Except for elevated municipal water storage facilities, no building or structure inclusive of all roof top appurtenances, shall exceed the building height limits as set forth in exhibit A. The City shall provide any applicant for a proposed building or structure seventy-five (75) feet or taller above mean sea level (MSL), the height limits in graphic form.

From Doolittle Boulevard in a north and south straight line extension to the westernmost City limits, no building or structure shall exceed eighty (80) feet in height above mean sea level (MSL). This area shall be designated as "Zone A".

From Doolittle Boulevard in a north and south straight line extension eastward to Jonquil Avenue in a north and south straight line extension, no building or structure shall exceed ninety (90) feet in height above mean sea level (MSL). This area shall be designated as "Zone B".

From Jonquil Avenue in a north and south straight line extension to the easternmost City limits, no building or structure shall exceed one-hundred (100) feet in height above mean sea level (MSL). This area shall be designated as "Zone C".

**Sec. 7.15.07 (D)(4)**

*Building Height:* Except for elevated municipal water storage facilities no building or structure inclusive of all roof top appurtenances, shall exceed the building height limits as set forth in exhibit A. The City shall provide any applicant for a proposed building or structure seventy-five (75) feet or taller above mean sea level (MSL), the height limits in graphic form.

From Doolittle Boulevard in a north and south straight line extension to the westernmost City limits, no building or structure shall exceed eighty (80) feet in height above mean sea level (MSL). This area shall be designated as "Zone A".

From Doolittle Boulevard in a north and south straight line extension eastward to Jonquil Avenue in a north and south straight line extension, no building or structure shall exceed ninety (90) feet in height above mean sea level (MSL). This area shall be designated as "Zone B".

From Jonquil Avenue in a north and south straight line extension to the easternmost City limits, no building or structure shall exceed one-hundred (100) feet in height above mean sea level (MSL). This area shall be designated as "Zone C".

**SECTION II - SEVERABILITY**

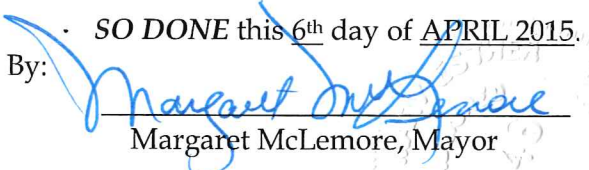
Should any part of this ordinance be declared unconstitutional or void by a court of competent jurisdiction, the remaining parts shall remain in full force and effect.

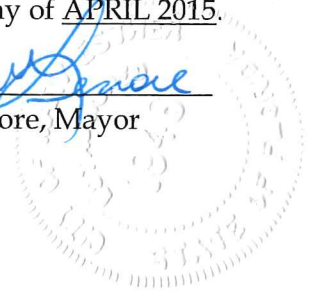
**SECTION III - CONFLICT**


This Ordinance shall prevail over all prior Ordinances or Resolutions or parts thereof in conflict herewith, and are hereby repealed to the extent of such conflict.

**SECTION IV - EFFECTIVE DATE**

This ordinance shall become effective upon adoption according to law.

By: SO DONE this 6<sup>th</sup> day of APRIL 2015.  
  
Margaret McLemore, Mayor



ATTEST:  
  
Dana L.S. Williams, CMC  
City Clerk

1<sup>st</sup> Reading: 3/2/15

Published: 3/25/15

2<sup>nd</sup> Reading: 4/6/15