

ORDINANCE 2003 - 10

AN ORDINANCE CREATING CERTAIN EXEMPTIONS TO OWNERS OF SINGLE-FAMILY RESIDENCES, INCLUDING MANUFACTURED RESIDENTIAL HOMES, FROM PERMITTING AND CODE REQUIREMENTS OF THE FLORIDA BUILDING CODE, SECTION 101.4.2.5, AS AMENDED, AND FLORIDA STATUTES, SECTION 553.80(3), WHO PERFORM THEIR OWN CONSTRUCTION OF PORCHES, DECKS, AND PATIOS, ON THEIR OWN PROPERTY.

WHEREAS, both the Florida Building Code, Section 101.4.2.5, as amended, and Florida Statutes, Section 553.80(3), allow each local enforcement district to promulgate rules granting to the owner of a single-family residence, one or more exemptions to the Florida Building Code; and

WHEREAS, manufactured residential homes, hereinafter referred to as “mobile homes”, are a movable or portable single-family dwelling according to the Nassau County Zoning Ordinance No. 97-19, as amended; and

WHEREAS, both the Florida Building Code, Section 101.4.2.5(1), as amended, and Florida Statutes, Section 553.80(3)(a), would allow an exemption from permitting and code requirements for the addition of a porch, deck, or patio to owners of single-family residences, including mobile homes, provided the construction is performed by the property owner upon his/her own property.

NOW THEREFORE, BE IT ORDAINED this 24th day of February, 2003, by the Board of County Commissioners of Nassau County, Florida, as follows:

1. The owner of a single-family residence, including a mobile home, is exempt from obtaining a construction permit for construction of a porch, deck, or patio providing that all of the following requirements and conditions are met:

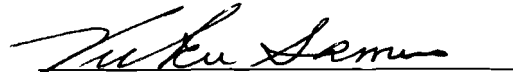
- a. The owner must reside at the single-family residence or mobile home.
- b. The owner must comply with the licensing exemption requirements of Florida Statutes, Section 489.103(7), for owners of property, acting as their own contractors and providing direct on-site supervision themselves of all work not performed by licensed contractors on such property for the occupancy or use of such owners, and not offered for sale or lease.
- c. The porch, deck or patio shall not exceed two-hundred and fifty (250) square feet in area.
- d. The porch, deck or patio shall be open or utilize only screening on a minimum of two (2) sides or walls.
- e. The porch, deck or patio shall not be in violation of any adopted Zoning Regulation for the Zoning District that it is located within.
- f. The porch, deck or patio shall not be converted to habitable space without submittal of construction plans, which must be signed and sealed by a design professional, the application for, and obtaining of, a construction permit, as well as payment of all associated fees.
- g. The exemption shall not be allowed more than one time in any twelve (12) month period.
- h. The owner shall assume any and all liability relating to the construction of the porch, deck or patio.
- i. The owner shall submit a notarized affidavit of agreement to the requirements and conditions set forth above.

2. The owner of a single family residence, including a mobile home, shall submit a site plan or plot plan that contains sufficient detail to determine compliance with zoning regulations that pertain to setbacks from other structures and property lines and percentage of allowable lot coverage.

a. The owner shall submit a site plan review fee of twenty-five dollars (\$25.00) as required by Exhibit "A" of Nassau County Resolution 2002-129, as amended.

3. EFFECTIVE DATE: This Ordinance shall become effective upon its being filed in the office of the Secretary of State.

Board of County Commissioners
Nassau County, Florida



VICKIE SAMUS

Its: Chairman

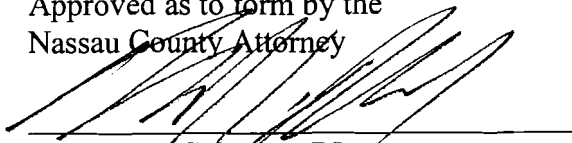
ATTEST:



J. M. "CHIP" OXLEY, JR.

Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

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