



ORDINANCE NO. 2011-14

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, CREATING CERTAIN EXEMPTIONS TO OWNERS OF SINGLE-FAMILY RESIDENCES, INCLUDING MANUFACTURED RESIDENTIAL HOMES, FROM PERMITTING AND CODE REQUIREMENTS OF THE FLORIDA BUILDING CODE, SECTION 102.2.5, AS AMENDED, AND FLORIDA STATUTES SECTION 553.80(3), WHO PERFORM THEIR OWN CONSTRUCTION OF PORCHES, DECKS, PATIOS AND STORAGE SHEDS ON THEIR PROPERTY; PROVIDING FOR SUNSET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, both the Florida Building Code, Section 102.2.5, 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 102.2.5, as amended, and Florida Statutes, Section 553.80(3)(b), would allow an exemption from permitting and code requirements for the addition of a porch, deck, patio or storage shed 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 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, patio or storage shed 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, patio, or storage shed 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 storage shed shall be a maximum of twelve (12) feet in height above grade and shall be attached to a three and one-half inch (3-1/2") thick concrete slab or be secured to the ground with auger type anchors as recommended by the manufacturer.
- f. The porch, deck, patio, or storage shed shall not be in violation of any adopted Zoning Regulation for the Zoning District that it is located within.
- g. The porch, deck, patio or storage shed shall not be located in a mapped flood hazard area unless the Building Official has determined that the porch, deck, patio or storage shed does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.
- h. The porch, deck, patio, or storage shed 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.
- i. The exemption shall not be allowed more than one time in any twelve (12) month period.

- j. The owner shall assume any and all liability relating to the construction of the porch, deck, patio, or storage shed.
 - k. 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 2009-184, as amended.
 3. SUNSET. This ordinance shall sunset by operation of Section 553.73, Florida Statutes, upon any future adoption of the revised Florida Building Code.
 4. EFFECTIVE DATE: This Ordinance shall become effective upon its being filed in the office of the Secretary of State.

PASSED AND ENACTED by the Board of County Commissioners of Nassau County, Florida, this 25th day of July, 2011.

BOARD OF COUNTY COMMISSIONERS
 NASSAU COUNTY, FLORIDA


 WALTER J. BOATRIGHT
 Its: Chairman

ATTEST AS TO CHAIRMAN'S
 SIGNATURE:


 JOHN A. CRAWFORD
 Its: Ex-Officio Clerk

APPROVED AS TO FORM BY THE
 NASSAU COUNTY ATTORNEY:


 DAVID A. HALLMAN