

ORDINANCE 2025-XX

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER 119 OF THE CITY OF WESTLAKE, FLORIDA'S CODE OF ORDINANCES ENTITLED "ZONING", BY SPECIFICALLY AMENDING SECTION 119-31(c)(7) ENTITLED "SETBACK EXCEPTIONS FOR RESIDENTIAL-1(R-1) AND RESIDENTIAL-2(R-2) DISTRICTS" UNDER ARTICLE II ENTITLED "ZONING DISTRICTS AND STANDARDS"; TO PROVIDE FOR CLARIFICATION RELATIVE TO SCREENING EXCEPTIONS FOR SINGLE FAMILY RESIDENTIAL LOTS; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Westlake deems it in the best interests of the residents of the City of Westlake to amend the Code of Ordinances for the purposes of amending the visual screening requirements for single-family residential lots with a setback of less than seven and one-half feet (7.5') in the Residential-1(R-1) and Residential-2(R-2) Districts; and

WHEREAS, the City Council of Westlake finds and determines that new exceptions to the visual screening will assist property owners with the maximum utilization of their property and allow adequate safety and security measures to be implemented.

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

SECTION 1. Recitals. The foregoing recitals are confirmed, adopted and incorporated herein and made a part hereof by this reference.

SECTION 2. The City Council hereby amends Chapter 119 entitled "Zoning", by specifically amending Section 119-31(c)(7) entitled "Setback exceptions for Residential-1(R-1) and Residential-2(R-2) Districts" of the City of Westlake's Code of Ordinances to read as follows:

Sec. 119-31. Residential districts.

...

(c) *Setback exceptions for Residential-1 (R-1) and Residential-2 (R-2) Districts.* The following structures, projections and improvements may be allowed within the required setbacks for single-family residential properties located in the residential zoning districts designated residential-1 (R-1) and residential-2 (R-2).

- (1) Arbors and trellises less than ten (10) feet in height, subject to a minimum three (3) feet setback in the rear yard.
- (2) Balconies with support structures projecting a maximum of three (3) feet into the rear yard setback.

- (3) Bay windows projecting a maximum of three (3) feet into a rear yard setback, measured at the point at which the face of the building or structure touches the ground.
- (4) Chimneys projecting a maximum of three (3) feet into a rear yard setback.
- (5) Clothes poles or clothes lines in rear yard setbacks.
- (6) Fountains, subject to a minimum three (3) feet setback in the rear yard.
- (7) Heating, ventilation and air conditioning units, including compressors and condensers in the side yard setback. Visual screening from the right-of-way and adjacent property shall be provided. Screening shall be opaque in nature, blends in with the architecture of the building, and be constructed in conformity with materials approved by the Florida Building Code, or shall be composed of vegetation. Single-family residential lots with a setback of less than seven and one-half feet (7.5') shall only be required to provide visual screening from the right-of-way.

...

SECTION 3. Codification. It is the intention of the City Council of the City of Westlake that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Westlake, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

SECTION 4. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions which are in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 5. Severability. Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

SECTION 6. Effective Date. This ordinance shall be effective upon adoption on second reading.

PASSED this __ day of _____, 2025, on first reading.

PUBLISHED on this __ day of _____, 2025 in the Sun Sentinel

PASSED AND ADOPTED this __ day of _____, 2025, on second reading.

City of Westlake
JohnPaul O'Connor, Mayor

Zoie Burgess, CMC, City Clerk,

APPROVED AS TO LEGAL FORM

OFFICE OF THE CITY ATTORNEY