

Article 5.
AUXILIARY OR ACCESSORY USES

Sec. 5-1 - General.

Except as otherwise provided herein, auxiliary or accessory uses, which do not alter the character of the premises in respect to their basic use, shall be permitted in connection with all uses. Specific enumeration hereinafter mentioned of permissible auxiliary or accessory uses shall not be deemed to prevent other proper auxiliary or accessory uses not so enumerated. Subject to provisions of this or other ordinances of this city, an auxiliary or accessory use may include a subordinate building or portion of the main building the use of which is incidental to and customarily associated with the main building and which is located on the same building site as the main building. No subordinate and accessory building or structure permitted as an auxiliary-use may be constructed before, but may be built concurrently with the main building, nor shall any such building be completed before the main building is completed, except as to interior trim and decoration, or be used or occupied before the main building is completed.

Sec. 5-2 - Garage, private or garage apartment.

A private garage, or garage apartment providing living quarters for the use only of members of the family living in the main residence building or servants employed on the premises, will be permitted with R and D-Uses as an auxiliary-use. Occupancy of garage apartments in R and D-Use Districts shall be limited to members of the family living in the main residence or to servants employed on the premises. Only one private garage or garage apartment shall be permitted upon the building site occupied or used for the main residence. No kitchen or cooking facilities shall be permitted in private garages or garage apartments in R and D-Use Districts. A maximum of four (4) garage parking spaces for vehicles shall be permitted on a R or D use property. (3242)

Sec. 5-3 - Apartment garage.

An apartment garage will be permitted in connection with A-Uses as an auxiliary-use. Only one apartment garage shall be permitted

on the building site occupied or used by the main building.

Sec. 5-4 - Apartments and hotels--General.

Subject to any limitations in this code or in other ordinances of the City, such facilities as are required or useful for the operation of a hotel or apartment house, or for the use or entertainment of guests or tenants of the hotel or apartment house shall be permitted as auxiliary-uses thereto, when conducted and entered only from within the building.

Sec. 5-5 - Public dining room or restaurant.

A public dining room or restaurant shall be permitted as an auxiliary-use in any hotel.

Sec. 5-6 - CA or CB-Uses.

Hotels with one-hundred (100) or more guest rooms may contain business establishments of CA or CB classification as auxiliary-uses, providing the exterior of the building shall not contain store fronts or have the appearance of commercial or mercantile activities or any display of articles or services for sale which are visible from the exterior of the building, or on the grounds facing a public highway or water frontage, and providing further that places of business established under the provision of this section shall only be entered from within the building.

Sec. 5-7 - Retail liquor store.

Hotels and motels with one-hundred (100) or more guest rooms may contain a retail liquor store, as an auxiliary-use, provided that such retail liquor store shall have no entrances or exits thereto except from within the hotel or motel itself and not from the exterior of any such hotel or motel or from any street; and no signs advertising such retail liquor store, or the sale of alcoholic beverages or intoxicating liquors therein, shall be permitted upon the exterior, or to be visible from the exterior of any such hotel or motel.

Sec. 5-8 - Boat house and boat slip.

A boat house and/or boat slip shall be permitted as an auxiliary-use to any use permitted upon property abutting the Coral Gables Waterway or other canal or waterway or Biscayne Bay. Every boat house shall maintain the same minimum setback from the platted canal line or bay front as established for the main structure permitted on the property. Every boat house and boat slip shall maintain the same minimum setback from the side lot line as established for the main structure permitted on the property. Occupancy of living quarters in any boat house shall be restricted in R and D-Use Districts to occupancy by members of the family residing in the main residence building or to servants employed on the premises. No kitchen or cooking facilities shall be permitted in living quarters in boat houses in R or D-Use Districts. An escape ladder shall be provided from the water at some point in the boat house or between the boat house and the canal or bay. The eave line of the boat house shall not exceed in height the eave line of the main residence building. A wall or fence four (4) feet in height shall be provided so as to contain the boat house and its access to the canal or bay within the rear yard of the property.

Sec. 5-9 - Playhouse.

A playhouse shall be permitted as an auxiliary-use to any R, D, or A-Use, subject to the following conditions and restrictions:

- (a) Such playhouse shall be of concrete block stucco construction with tile roof.
- (b) The ground dimensions thereof shall not exceed twelve (12) feet by twelve (12) feet.
- (c) The head room therein shall not exceed five (5) feet.
- (d) No plumbing facilities or fixtures shall be installed therein.
- (e) Such playhouse shall be screened by shrubbery to obscure the view of such playhouse from the street.

Sec. 5-10 - Utility room or building.

A separate utility building, or the use of a portion of the main building therefore, shall be permitted as an auxiliary-use to any A-Use, and in connection with any motel. Such separate building or part of the main building shall be restricted to use for laundry facilities, for housing

of electrical meters or other electrical equipment, toilet facilities, and storing of tools or equipment used on the premises, and, in the case of motels, shall be located at the rear of the building site.

Sec. 5-11 - Storage building.

A separate building for the storage of storm shutters and other similar adjuncts to the main building or for the storage of garbage and trash cans and to keep the same from being exposed to the public view (providing, however, that proper facilities shall be made for cleaning same as required by standard health practices), shall be permitted as an auxiliary-use to any C or M-Use. Such building may be erected only at the rear of the property upon which it is to be located, and within a radial distance of one-hundred (100) feet from the main building, and under no condition shall there be more than one such building erected upon a building site.

Sec. 5-12 - Private swimming pool.

A private swimming pool shall be permitted as an auxiliary-use to any R, D, A, C or S-Use subject to the following conditions and restrictions:

- (a) Swimming pools shall conform to the minimum structural requirements as required by the South Florida Building Code.
- (b) Design and sanitation requirements shall meet the requirements of the South Florida Building Code and the State Board of Health. All plans for swimming pools which require approval by the State Board of Health shall be stamped with the approval thereon of said Board prior to such plans being submitted to the City of Coral Gables for a building permit.
- (c) Maximum ground area coverage. In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots comprising the building site, and the total ground area permitted to be occupied by the main building or structure and permitted auxiliary structures shall not exceed forty-five (45%) of the site upon which the structures are located.
- (d) Setback:
 - 1. Minimum front setback. Same as requirements for a residence located on the parcel where pool is to be constructed provided, however, that

- in no case shall the pool be located closer to a front street line of a lot or building site than the main or principal building is located.
2. Minimum side setback. Fifteen (15) feet on each side, except on certain properties provided for under Article 4 Site Specific Regulations. (See Section 4-27(e) and Section 4-28(g).
 3. Minimum rear setback. On a lot or building site not abutting upon a canal, waterway, lake or bay, five (5) feet. (3037)
 4. Waterway setback. On a lot or building site abutting upon a canal, waterway, lake, bay, or golf course, five (5) feet from such canal, waterway, lake, bay, or golf course. (3037)
 5. Measurement. All setbacks for swimming pools shall be measured from the water's edge of the pool to the nearest property line in question.
- (e) Unless the pool is entirely screened in, it must be surrounded by a protective wall or fence four (4) feet in height, to comply with existing ordinance for walls and fences and provided, further, that in all cases where a swimming pool is constructed which will be visible from a street, a four (4) foot wall shall be erected upon the premises between the street and the swimming pool.
 - (f) Gates in the protective fence and/or wall required by the Zoning Code shall be the spring lock type, so that they shall automatically be in a closed and fastened position at all times. Gates shall also be equipped with a safe lock and shall be locked when the swimming pool is not in use.
 - (g) On inside lots swimming pools may be located within an L or U of the building facing upon a front street.
 - (h) On corner lots, swimming pools may be located within an L of the building provided that such L is not visible in both the front and side elevation.
 - (i) In no case shall a swimming pool be located closer to the front or side street of a lot or building site than the main or principal building.
 - (j) Patios and decks surrounding pools (other than wood decks governed by Section 5-21) may extend five (5) feet closer to the rear property line, canal, waterway, lake,

bay or golf course, than the pool itself, provided that a minimum rear setback of five (5) feet is maintained. (3037)

- (k) Whenever it shall come to the attention of the City Manager, either by personal inspection voluntarily made, and which he hereby is authorized to make, or by inspection by said City Manager following complaints that any swimming pool in the City of Coral Gables is so operated as to constitute a hazard to the health, safety and welfare of the citizens of the City of Coral Gables, the said City Manager shall, by registered mail, call attention of the owner or owners of record of the property upon which such swimming pool may be located of the hazard, giving a brief description thereof and requiring such owner or owners within ten (10) days to remedy the condition. Should such owner or owners fail to follow the directions and remove the hazard pointed out by the City Manager, such owner or owners shall not only be liable for the penalties hereinafter set forth, but the City Manager is authorized, by his agents and employees, to remedy the condition and the reasonable costs thereof shall be a lien against the property upon which such swimming pool is located, handled and collected in the manner prescribed for the collection of liens for special benefits in the Charter of the City of Coral Gables.

Sec. 5-13 - Screened enclosures.

A structure whose openings are composed of screening shall be permitted as an auxiliary-use in connection with an R, D, A or S-Use, provided a major portion of one wall of the screened enclosure shall be a part of the main building or of a permitted auxiliary building located on the premises, subject to the following conditions and limitations:

- (a) Plans. Every application for a permit to erect a screened enclosure shall be accompanied by two (2) sets of detailed plans and structural drawings. The plans shall show all elevations of all facades of the building to which it is to be attached. The plans shall be designed by an architect or engineer registered under the laws of the State of Florida and the structural drawings shall be prepared by an engineer registered under the laws of the State of Florida.

(b) Street Elevation: In all cases where an elevation of a screened enclosure is visible from a street, such elevation shall be constructed of a minimum three (3) foot high masonry stub wall which may be either solid, louvered, pierced, open brick, decorative block or ornamental block with screening above as shall be approved by the Board of Architects to be in harmony with the main building. The Board of Architects shall require such architectural changes on the elevation of such screened enclosures as in its judgment may be requisite or appropriate in maintaining a high standard of construction, architecture, beauty and harmony with the surrounding area.

(c) Height:

1. Where a screened enclosure is to be attached to a one-story building the height of the screened enclosure shall not exceed the height of the eave line of the affected elevations providing, however, that where the design and/or other attendant and connected circumstances and features of such building and screened enclosure justify a greater height the Board of Architects may approve such height.
2. Where a screened enclosure is to be attached to a two (2) story building the height of such enclosure shall not exceed ten (10) feet providing, however, that where the design and/or other attendant and connected circumstances and features of such building and screened enclosure justify a greater height the Board of Architects may approve such a height. The height shall be taken from the finished grade of the building upon which the screened enclosure is to be attached.

(d) Maximum ground area coverage: In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots composing the building site, and the total ground area permitted to be occupied by the main building or structure and permitted auxiliary structures shall not exceed forty-five (45%) percent of the site upon which the structures are located, provided however, that in no case shall a screened enclosure be permitted to

exceed two-thirds ($\frac{2}{3}$) of the ground area of the main building on the premises.

(e) Except as specifically prescribed herein to the contrary, no screened enclosures shall be located closer to a side or rear lot line than a minimum of ten (10) feet.

(f) Location:

1. On inside lots, screened enclosures may be located within an L or U of the building facing upon a front street.
2. On corner lots, screened enclosures may be located within a U of the building facing upon either the front or side streets.
3. On corner lots, screened enclosures may be located within an L of the building providing that such L is not visible in both the front and side elevation.
4. In no case shall a screened enclosure be located closer to the front or side street of a lot or building site than the main or principal building.

(g) Approval of plans: No permit shall be issued for the erection of a screened enclosure until such plans shall have been approved by the Board of Architects.

Sec. 5-14 - Bomb shelter and/or fallout shelter.

A building designed to be used as a bomb shelter and/or fallout shelter shall be permitted as an auxiliary-use to any R, D, A, C, M or S-Use subject to the following conditions and restrictions:

- (a) Such shelters shall be designed and constructed in accordance with accepted engineering structural principles which shall be subject to approval by the structural engineer and the building official.
- (b) Such shelters may be attached to the main building or constructed as a detached building provided, however, that the design thereof conforms to the design of the main or principal building.
- (c) Such shelters may be constructed with a flat roof provided that the maximum height of the shelter shall not exceed four (4) feet above grade.
- (d) Such shelters shall be subject to approval by the Board of Architects for architectural design.

- (e) Setbacks shall be in accordance with the applicable Sections of this Ordinance.

Sec. 5-15 - Greenhouse.

A greenhouse shall be permitted as an auxiliary-use to R, D, or A-Uses, subject to the following conditions and restrictions:

- (a) Such greenhouse shall be restricted to the sole purpose of raising plants and flowers.
- (b) Such greenhouse shall be constructed of:
 - 1. A pipe frame covered with chain link fencing material and/or dark green plastic screen.
 - 2. A pipe frame covered with chain link fencing material and/or dark green plastic screen located on top of a masonry wall, provided such masonry wall does not exceed a height of four (4) feet above finished grade.
 - 3. Glass in metal frames, provided where masonry is used in the walls of such construction, such masonry walls shall not exceed a height of four (4) feet above finished grade.
 - 4. A pipe frame covered with galvanized expanded metal, painted green.
- (c) In those instances where a greenhouse is constructed of chain link fence material, such greenhouse shall be covered at all times with dark green plastic screen, provided, however, such plastic screen may be removed in the event of a hurricane.
- (d) The ground dimension of such greenhouse shall not exceed a width of twelve (12) feet, and a depth of sixteen (16) feet.
- (e) The walls of the greenhouse shall not exceed a height of seven (7) feet above finished grade.
- (f) The greenhouse shall not exceed an overall height of eight and one-half (8½) feet above finished grade.
- (g) The roof pitch of such greenhouse shall not exceed a maximum of three (3) inches in twelve (12) inches.
- (h) Sun screen and other materials used for shading, except dark green plastic screen, shall be used only on the inside of the greenhouse.
- (i) The setbacks of such greenhouses shall be the same as required for screen enclosures.

- (j) The greenhouse shall be located on the rear of the property and shall be properly screened by landscaping from view from the street and adjacent property owners as shall be approved by the Board of Architects. Such landscaping shall be maintained for as long as the structure shall remain upon the premises.
- (k) The greenhouse shall not contain toilet facilities but may contain a sink for washing and care of the orchids or other plants and flowers.
- (l) The structural design of the greenhouse shall be subject to approval by the Structural Engineer.

Sec. 5-16 - Davits, boat lifts and floating boat lifts.

Davits, boat lifts and floating boat lifts shall be permitted as an auxiliary use to property zoned for "R", "D", or "A" uses, subject to the following conditions and restrictions, except as further provided for specific properties and the Mahi Canal in Section 4-63: (2807, 3206)

- (a) That the appropriateness of the proposed location shall be reviewed and approved by the Building and Zoning Department.
- (b) That certified engineering drawings be submitted with details of the proposed method of attachment.
- (c) That the minimum side setback for such davits, boat lifts or floating boat lifts shall be the same as the minimum side setbacks, extended, for the main structure.
- (d) That only one set of davits, boat lift, or floating boat lift shall be permitted for each residence building and duplex building. Apartment buildings, condominium apartment buildings or cooperative apartment buildings may have at least one set of davits or floating boat lift, but may not have more than one set of davits, boat lift or floating boat lift per ten (10) apartment units.
- (e) That boat lifts or floating boat lifts shall not extend beyond twenty-five (25) feet from the banks of waterways.
- (f) That the remaining, navigable waterway shall be a minimum of seventy-five (75) feet in width.
- (g) That boat lifts or floating boat lifts shall maintain safety light reflectors visible at night, and guide poles to show the submerged portion of the lift.

Sec. 5-17 - Cabana.

A cabana shall be permitted as an auxiliary-use to an R-Use subject to the following conditions and restrictions:

- (a) Such cabana shall be of masonry construction with tile roof and shall be designed so as to tie in architecturally with the main building.
- (b) The area of such cabana shall not exceed one-hundred (100) square feet.
- (c) The plumbing facilities shall be limited to shower and toilet facilities.
- (d) The setbacks and ground coverage shall be as set forth elsewhere in this Code.
- (e) The cabana shall not contain cooking facilities and shall not be used for living or sleeping quarters.
- (f) Cabanas which are attached to the main building shall not be required to be inter-connected with said main building.

Sec. 5-18 - Tennis courts.

A private tennis court shall be permitted as an auxiliary-use to any R, D, A, or S-Use subject to the following conditions and restrictions:

- (a) The setbacks for such tennis court and side and back nets, fences or walls shall be in accordance with the minimum setbacks required for the use district in which the tennis court is located.
- (b) The tennis court shall not be located between the main building and the street or closer to the street than the main building.
- (c) Such tennis courts including side and back nets shall be screened from view from the street and the adjacent property owners.
- (d) The side and back nets shall not exceed a maximum height of ten (10) feet and shall be constructed in compliance with the South Florida Building Code and zoning regulations.
- (e) Any lighting on the tennis courts shall comply with the applicable regulations of the City of Coral Gables.

Sec. 5-19 - Storage and/or utility room.

Storage and/or utility rooms not exceeding fifty (50) square feet of floor area, computed from the inside wall-to-wall dimensions, may be permitted as an auxiliary-use to an R or D-Use without the necessity of such rooms being inter-connected with the R or D-Use building, as the case may

be. The design of such rooms shall be tied in architecturally with the main building and the material used in the construction of such storage and/or utility room shall be as set forth in this code.

Sec. 5-20 - Guest house.

A guest house will be permitted as an auxiliary-use to a Residential Estate as defined under Section 2-93 herein subject to the following conditions and restrictions: (3232)

- (a) The guest house shall not exceed six-hundred (600) square feet in ground area or ten (10%) percent of the ground area of the main building on the premises, whichever is greater.
- (b) Such guest house may contain kitchen facilities.
- (c) Only non-paying and personal guests of the occupant of the principal residence shall occupy a guest house.
- (d) Year-round occupancy shall not be permitted by the same guest.
- (e) The owner shall not be permitted to live in the guest house and rent the principal residence.
- (f) A guest house shall be permitted only as an auxiliary-use to a Residential Estate.
- (g) The guest house shall be located in the rear yard area.

Sec. 5-21 - Wood decks.

Wood decks shall be permitted as an auxiliary-use to any R or D-Use subject to the following conditions and restrictions: (2524)

- (a) That the plans for such wood decks shall be subject to approval by the Board of Architects and Structural Engineer.
- (b) The foundation for wood decks shall be constructed of concrete.
- (c) The decking may be constructed of two (2) inch thick material to be one of the following:
 - 1. Solid select heart cypress.
 - 2. Solid heart mahogany.
 - 3. Solid heart teak.
 - 4. Solid heart cedar.
 - 5. Clear vertical grain redwood.
 - 6. Pressure treated pine or fir except creosote pressure treated wood.
 - 7. Similar type or quality of wood to those noted above, as approved by the Board of Architects and the Building and Zoning Official. All other

wood members may be constructed of all the above including creosote pressure treated wood. (2625, 2696)

- (d) All supporting members shall be anchored to the concrete footing with approved metal clips used in such a manner as to prohibit the wood from touching the concrete.
- (e) A fascia or skirt shall be constructed on the perimeter of the wood deck to conceal from view the ends of the deck planking, the joists supporting the deck and the clips, angles and other metal anchors and devices. The skirting material shall be one of the seven (7) approved woods as set forth under paragraph (c) above.
- (f) The height of the wood deck shall not exceed the height of the first floor elevation, except in case where the floor slab of the residence or duplex is constructed at grade, in which case the height of the wood deck shall not exceed a height of three (3) feet above the floor slab.
- (g) The setback for the wood decks shall be governed by the same minimum setbacks as required for the main or principal building, provided, however, that on waterfront property no rear setback shall be required for such wood decks.
- (h) The minimum rear setback for decks and patios surrounding pools on canals, waterway, lakes, bays, or golf courses shall be three (3) feet; except as provided for wood decks in Section 5-21(g). (3232)
- (i) The surface of all exterior wood members shall be stained or painted to be harmonious with the color of the main or principal building as shall be approved by the Board of Architects.

Sec. 5-22 - Wood trellis.

Wood trellises shall be permitted as an auxiliary-use to any R or D-Use subject to the following conditions and restrictions: (2521, 3191)

- (a) That the plans shall be subject to approval by the Board of Architects and Structural Engineer.
- (b) All wood members shall be constructed of one of the following approved materials: (3232)
 1. Solid select heart cypress.
 2. Solid heart mahogany.
 3. Solid heart teak.
 4. Solid heart cedar.

5. Clear vertical grain redwood.

- (c) All supporting members shall be anchored to a concrete foundation with approved metal clips used in such a manner as to prohibit the wood from touching the concrete.
- (d) Fastening clips, hurricane clips, etc., used in the construction of the trellis shall be concealed from view with moldings, cover boards, etc.
- (e) No materials such as, but not limited to, fiberglass screening, plastic panels or aluminum panels shall be placed upon or attached to the trellis.
- (f) The height of the trellis shall be subject to approval by the Board of Architects.
- (g) The setbacks for trellises shall be governed by the same minimum setbacks as required for the main or principal building.
- (h) The setbacks for trellises shall be governed by the same minimum setbacks as required for the main or principal building (refer to Section 3-1(d) for rear setback of "R" zoned properties backing onto a canal, waterway, lake or bay).
- (i) All trellises may be stained or painted to be harmonious with the color of the main or principal building as shall be approved by the Board of Architects.
- (j) All wood trellises shall be maintained and kept in good order and repair.

Sec. 5-23 - Moveable pavers.

Moveable pavers shall be permitted in the required setback area, but shall only be allowed to serve as walkways or approved driveways, and not for patios or off-street parking. Walkways should be defined as an aggregated width of pavers not exceeding three (3) feet in width in a setback area of up to ten (10) feet and a maximum width of five (5) feet in setback areas of ten (10) feet or greater. In all cases a minimum of eighteen (18) inches shall be provided between a walkway and the property line.

Sec. 5-24 - Recreational equipment.

Non-movable recreational equipment including swing sets, jungle gyms, basketball poles, etc., are permitted to be placed, kept or maintained in any interior side or rear yard only. (2992)

Sec. 5-25 - Setback requirements--Auxiliary and accessory buildings or structures.

Except as specifically prescribed herein to the contrary, auxiliary and accessory buildings or structures shall be governed by the same minimum setback requirements as provided for the main or principal building, provided that:

- (a) Setbacks for swimming pools, patios and decks abutting upon a canal, waterway, lake, bay, or golf course shall be in accordance with Sections 5-12(d) 4 and (k). (3037)
- (b) No setback shall be required for bomb shelters and/or fallout shelters when such shelters are constructed completely below grade provided, however, that no such shelter shall be constructed in the utility easement areas and provided further that the entrance doors to subject shelters are not constructed in the setback area as required for the main or principal building.
- (c) Except as may be otherwise noted no accessory or auxiliary building or structures may be located in the area between the street and the main residential building or any part thereof.
- (d) In no case shall an auxiliary building or structure be located closer to the front or side street of a lot or building site than the main or principal building.