



THE VILLAGE OF NORTH PALM BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
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## Frequently Used Code Requirements for the Village's Single Family Home District (R-1) Homeowner Handout

### Sec. 45-27. - R-1 single-family dwelling district.

- A. *Uses permitted.* Within any R-1 single-family dwelling district no building, structure, land or water shall be used except for one (1) or more of the following uses:
1. Single-family dwellings with accessory buildings customarily incident thereto, subject to each of the requirements set forth in this section and throughout this chapter.
  2. Public schools.
  3. Parks and recreation facilities owned or leased by or operated under the supervision of the Village of North Palm Beach.
  4. Detached fence storage areas.
  5. Satellite dish antenna.
  6. Community residential homes. Community residential homes of six (6) or fewer residents which otherwise meet the definition of a community residential home, provided that such homes shall not be located within a radius of one thousand (1,000) feet of another existing such home with six (6) or fewer residents.
  7. Family day care home.
  8. Lamp post.
  9. Decorative post structure.
- B. *Building height regulations.* No main building shall exceed two (2) stories in height and no accessory building more than one (1) story.
- C. *Building site area regulations.* The minimum lot or building site area for each single-family dwelling shall be seven thousand five hundred (7,500) square feet and have a width of not less than seventy-five (75) feet, measured at the building line.
- D. *Yard space regulations.*
1. *Front yard.* There shall be a front yard of not less than twenty-five (25) feet measured from the street line to the front building line.
  2. *Rear yard.* There shall be a rear yard of not less than twenty (20) feet measured from the rear building line to the rear lot line.
  3. *Side yards.* There shall be a side yard on each side of the side building line of not less than ten (10) feet. In the case of corner lots, no building and no addition to any building shall be erected or placed nearer than twenty (20) feet to the side street line of any such lot.
    - (a) For a distance of one block on streets intersecting U.S. #1, measured from the right-of-way line of said U.S. #1, side yards of at least twenty-five (25) feet in depth shall be provided.

- E. *Off street parking regulations.* At least one parking space measuring at least nine (9) feet by eighteen (18) feet (one hundred sixty-two (162) square feet) shall be provided. All parking spaces shall consist of a durable surfaced area as approved by the community development director, and may be enclosed in the dwelling, in an accessory building or in an unenclosed area or a driveway. All vehicles parking on a lot must be parked on a durable surface.
- F. *Accessory structures.* One detached automobile garage and one open-air pavilion may be constructed on any lot within the R-1 single-family dwelling district provided that all requirements of this chapter are met. Open air pavilions shall be subject to the following additional conditions and restrictions:
1. *Permitting.*
    - (a) All open-air pavilions must be permitted in accordance with all Florida Building Code and Village Code requirements.
    - (b) Open-air pavilions meeting the definition of a traditional chickee hut are exempt from the Florida Building Code but shall be subject to consistency review by the village. Consistency shall be demonstrated through the issuance of a zoning permit and shall require the submittal of the following information:
      - (1) A survey that includes scaled dimensions of the proposed structure, including setbacks;
      - (2) Proof that the builder of the chickee hut is a member of either the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida (such proof consisting of a copy of the tribal member's identification card); and
      - (3) Drawings of the proposed structure depicting, at a minimum, the overall design, dimensions, roof materials, and height.
  2. *Dimensions.* Open-air pavilions shall not exceed two hundred (200) square feet in floor area. The floor area shall be measured from outside the support posts, provided that the roof overhang does not exceed three (3) feet from the support posts. If the roof overhang exceeds three (3) feet, the floor area shall consist of the entire roofed area. For structures supported by a single-pole, i.e., umbrella shape, the floor area shall be measured from the drip line of the roof material.
  3. *Height.* Open-air pavilions shall not exceed twelve (12) feet in height or the height of the principal building located on the lot, whichever is more restrictive. For sloped roofs, the height shall be measured at the mean roof height.
  4. *Location and Setbacks.*
    - (a) No open-air pavilion may be erected within ten (10) feet of the side property line. This side setback shall be increased to twenty (20) feet for corner lots.
    - (b) No open-air pavilion may be erected within seven and one-half (7½) feet of the rear property line.
    - (c) No open-air pavilion or any portion thereof may be erected between the front line of the principal building and the front property lot line, within a utility or drainage easement, or within a required landscape buffer.
  5. *Use restrictions.*
    - (a) An open-air pavilion shall be used only for private recreational activities as an accessory use to the principal residential use and shall not be used for habitation, for a tool room, storage room or workshop, or for any commercial purpose whatsoever.
    - (b) Open-air pavilions shall not be used for storage of items of personal property, including, but not limited to, the following:
      - (1) Operable or inoperable vehicles, boats, boat trailers, utility trailers or similar items of personal property;
      - (2) Building materials, lawn equipment, tools or similar items; and

- (3) Ice boxes, refrigerators and other types of food storage facilities with the exception of under-counter units.
- (c) No gas, charcoal or propane grills, stoves or other types of cooking devices may be stored or utilized within a traditional chickee hut.
- 6. *Maintenance.* Open-air pavilions shall be maintained in good repair and in sound structural condition. Painted or stained surfaces shall be free of peeling paint, mold and mildew and void of any evidence of deterioration.
- 7. *Design.*
  - (a) Open-air pavilions, with the exception of traditional chickee huts, pergolas and other structures with only partial or slatted roofs, shall incorporate the same types of building materials and be consistent with the architectural theme or style of the main or principal building.
  - (b) At the request of a property owner, the community development director may approve the use of different building materials or alternate architectural themes or styles when such materials, themes or styles are complementary to the main or principal building.
  - (c) Should the community development director deny the request for different building materials or alternate architectural themes or styles, a property owner may appeal this decision to the planning commission by submitting a written request for a hearing to the community development director within thirty (30) calendar days of the date of the determination. The appeal shall be placed on the next available agenda and the decision of the planning commission shall be final, subject only to judicial review by writ of certiorari.
- G. *Mechanical equipment.* All non roof-mounted mechanical equipment shall be located behind the front building face of the principal structure in either the side yard or the rear yard. Such equipment shall be located adjacent to the principal structure whenever practicable, provided, however, that all mechanical equipment shall be located at least five (5) feet from the side property line and at least seven and one-half feet (7½) from the rear property line.

(Ord. No. 17-71; Ord. No. 9-85, § 2, 6-27-85; Ord. No. 17-90, § 2, 6-28-90; Ord. No. 29-95, § 2, 9-28-95; Ord. No. 23-2003, § 5, 9-11-03; Ord. No. 2006-24, § 2.L.2, 11-9-06; Ord. No. 2009-04, § 4, 4-23-09; Ord. No. 2012-03, § 3, 3-22-12; Ord. No. 2014-06, § 2, 7-24-14)

**Stormwater runoff / drainage created by the installation of Impervious Surfaces (e.g. driveways, patios and walkways) cannot impact adjacent property owners (Sec. 21-67) and shall not be located within 2 ft of the site's property line per Sec. 24-43 for grading.**

#### **Sec. 21-67. - Postdevelopment runoff rates, volumes and pollutant loads.**

The developer/owner of any site shall be responsible for the on-site management of stormwater runoff in a manner such that postdevelopment runoff rates, volumes and pollutant loads do not exceed predevelopment conditions as per chapters 40E-4, 40E-40 and/or 40E-41, Florida Administrative Code.

# Additional Code Requirements that Apply to Single Family Homes

## Zoning District (R-1) in General Provisions Sec. 45-36

- B. Swimming pools shall be set back at least seven and one-half (7½) feet from the back property line measured from the rim of the pool and not less than five (5) feet from the side property line including the two-and-one-half-foot walk around the pool. The highest projection of the swimming pool shall not exceed two (2) feet. Outdoor fireplaces not exceeding six (6) feet in height may be erected and maintained, said structure, however, shall not be erected within five (5) feet of any rear lot line.
  - (a) Swimming pools may be enclosed by screening provided same are not erected closer than five (5) feet from the side and rear yard lines.
  - (b) No swimming pool shall be located in the area lying between the front property line and the front building line in the R-1 and R-2 zoning districts.
- C. Detached garages not more than one (1) story in height may be erected and maintained within seven and one-half (7½) feet of the rear line of any such lot.
- D. Walls and fences built within the area between the property line and the building setback line shall not exceed six (6) feet in height; provided, however, that no walls or fences may be erected between the front yard setback and the street line except as provided in subsection D-2 below, nor may walls or fences exceed four (4) feet in height for a distance of forty (40) feet from any body of water located within the village. On corner lots, walls or fences shall not exceed four (4) feet in height for a distance of twenty (20) feet from the side property line. On all building permits for walls or fences greater than four (4) feet in height that are to be located outside building setback lines, there shall be a prominent notice that a village building permit in no way offsets the deed covenants, and that the applicant should also check the deed covenants to protect himself.
  - D-1. On vacant lots adjacent to any waterbody, a non-opaque galvanized metal, wrought-iron or chain link fence no greater than four (4) feet in height may be constructed within five (5) feet of the seawall or bulkhead line to restrict access to the waterbody from the vacant lot. Chain link fences may also be vinyl coated.
  - D-2. Where a parcel within a residential zoning district abuts a parcel within a commercial or industrial zoning district, a wall or fence not exceeding six (6) feet in height may be erected along the side property line between the front yard setback and the street line provided that such wall or fence is set back at least three (3) feet from the front property line or as otherwise required to comply with the sight triangle and clear zone requirements of the Florida Department of Transportation's Manual of Uniform Minimum Standards for Design, Construction, and Maintenance of Streets and Highways, whichever is greater.
  - D-4. The height of a gate affixed to a wall or fence shall not exceed the maximum wall or fence height, provided, however, that on residential lots, one (1) gate up to twenty (20) feet in width (inclusive of gate posts) may exceed the maximum height by up two (2) feet.
- H. Patios connected to the rear of a dwelling unit may be enclosed by screening provided there shall be a rear yard of not less than fifteen (15) feet measured from the rear of the screened enclosure to the rear lot line.