

CHAPTER 163. MODEL HOMES

ARTICLE I. GENERAL PROVISIONS

Sec. 163.01. Definitions.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICANT. The contractor or qualified company submitting an application for a model home permit.

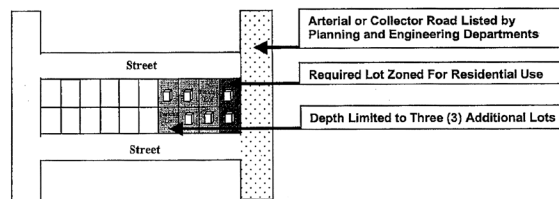
CONTRACTOR. Any person engaged in the business of contracting and who is currently registered with the state department of professional regulation, as a general contractor, building contractor, or residential contractor or who has a current certificate issued by the state department of professional regulation as a contractor, building contractor, or residential contractor.

DISPLAY. The exhibition of an unoccupied dwelling as a sample of a contractor's product, to solicit sales, to quote construction or sales price or otherwise operate a sales office.

DRIVEWAY APRON. Area of the driveway located within the road right-of-way extending from the right-of-way line to the edge of the road pavement.

MODEL HOME LOT. A lot zoned for residential use, located adjacent to an arterial or collector roadway specified in Table A and limited to a depth of four (4) contiguous lots from the arterial or collector roadway.

EXAMPLE: Model Home Lot



Note—Actual parking and home configurations will vary.

Table "A" Model Home Arterial and Collector Roadways

Roadway	From	To
Alcantarra Blvd.	Savona Blvd.	PSL Blvd.
Bayshore Blvd.	Prima Vista Blvd.	PSL Blvd.
Bayshore Blvd.	St. James Dr.	Prima Vista Blvd.
Cameo Blvd.	Janette Ave.	PSL Blvd.
Darwin Blvd.	Becker Road	PSL Blvd.
Del Rio Blvd.	Cashmere Blvd.	PSL Blvd.
Paar Drive	Rosser Blvd.	Darwin Blvd
Rosser Blvd.	Becker Road	Gatlin Blvd.

Savage Blvd.	Import Drive	Gatlin Blvd.
Savona Blvd.	Becker Road	California Blvd.
Tulip Blvd.	PSL Blvd.	PSL Blvd.

MODEL HOME. An unoccupied dwelling constructed upon a model home lot zoned for residential use and located on one of four contiguous lots from the arterial or collector roadway, with each lot under the ownership of one or more builders intending to use the lots as model home sites or ancillary parking, for display purposes, price quoting and consummation of sales contracts.

PERMIT. Model home permit.

QUALIFIED COMPANY. Any business organization engaged in the business of contracting and having a qualifying agent.

QUALIFYING AGENT. The person in whose name a business organization has obtained from the state department of professional regulation, a certificate or registration to engage in the business of contracting.

(Ord. No. 15-76, § 1, 10-12-15; Ord. No. 16-38, § 1, 7-11-16)

Sec. 163.02. Permitted Uses; Contents.

Use of model home. A model home may be used by the permit holder and his agents for display purposes and sales purposes only. Price quoting may be given and sales contracts may be consummated on the premises.

Contents. A model home may be furnished only with standard household furnishings. Office space and equipment related to the sales of model homes is permitted within the garage area or up to a maximum of four hundred (400) square feet if located outside of the garage.

(Ord. No. 15-76, § 1, 10-12-15)

Sec. 163.03. Prohibited Uses; Contents.

- (A) The permit holder shall not use the model home as his principal place of business.
- (B) The permit holder is expressly prohibited from using the model home as a place to accept construction bids and proposals from suppliers and subcontractors, using the model home as a place to issue work orders and give instructions to suppliers and subcontractors for work under construction and from using the model home as a place from which payments are made to employees, subcontractors, or suppliers for work performed or materials supplied.
- (C) A model home shall not be used for the storage of construction materials.
- (D) A model home shall not be occupied as a residence.
- (E) The following items shall not be permitted in or at a model home:
 1. [Reserved.]
 2. Mail boxes.

(Ord. No. 15-76, § 1, 10-12-15; Ord. No. 16-38, § 1, 7-11-16)

Sec. 163.04. Site Requirements and Accessibility.

The Site shall be designed based on the following standards:

- (A) The permit holder must submit an application to the zoning administrator on standard forms as provided by the planning and zoning department.
- (B) The handicapped parking stalls, and access ways from the parking area to the entrance shall be paved.
- (C) Each model home shall include a paved driveway not less than twenty (20) feet or more than twenty-four (24) feet in width. The secondary portion of a circular driveway shall not exceed sixteen (16) feet except as otherwise provided for in Section 158.222. Model homes with parking on separate lots are not required to have driveways to each model home.
- (D) The number of contiguous lots shall not exceed four (4) from the arterial or collector roadway. For three (3) or more contiguous model homes under the same ownership or application, a separate lot shall be used for parking. Only one separate parking lot is required for model homes, this includes any subsequent additional models proposed by a developer. This parking area shall include paved handicapped parking space that meets accessibility design standards. The driveway apron shall be paved. The parking area shall be unpaved or paved in accordance with the Engineering Standards for Land Development.
- (E) Designated parking areas of three or more spaces or on separate lots shall include landscaping along the perimeter next to residential streets and adjacent to residential lots. This shall include a continuous hedge along the exterior of the parking area with shrubs that are at least twenty-four (24) inches in height at the time of planting. Parking areas on separate lots shall also include eight (8) trees along the perimeter of the parking area. Landscaping shall comply with the approved list of landscape material as provided for in Chapter 154, City Landscaping Code.
- (F) Model home construction shall meet all accessibility requirements as specified in the Florida Building Code. The building department shall review all building permits for model homes for compliance with these provisions.
- (G) An amended site plan will be required when on site improvements or additional model homes are proposed in connection with an existing model home.
- (H) An appropriately designed stormwater detention area shall be provided for separate parking areas.

(Ord. No. 15-76, § 1, 10-12-15; Ord. No. 16-38, § 1, 7-11-16)

Sec. 163.05. Hours of Operation.

The model home may only be open to the public between the hours of 9:00 a.m. and 8:00 p.m. on all days of the week.

(Ord. No. 15-76, § 1, 10-12-15; Ord. No. 16-38, § 1, 7-11-16)

Sec. 163.06. Model Home Signs.

Model home signs shall be consistent with the adopted Sign Code, Chapter 155 of the City Code of Ordinances, and all pertinent sections related to certain prohibited and permitted signs. Sign permits are processed separately from the model home permit

(Ord. No. 15-76, § 1, 10-12-15)

Secs. 163.07—163.19. Reserved.

ARTICLE II. GENERAL PROVISIONS

Sec. 163.20. Model Home Permit; Eligibility.

No model home permit may be issued except as otherwise provided in Section 163.25 unless the applicant therefor has proved compliance with the following conditions:

- (A) The applicant must be a contractor or qualified company.
- (B) The applicant or qualifying company must be the owner or lessee of the property upon which the model home is to be built.
- (C) The dwelling for which the model home permit is sought must be constructed upon a building permit pulled by the contractor.
- (D) The property must be zoned for single-family residential use. However, model home sales centers in PUDs are allowed. Model homes in PUDs are subject to review as a commercial site plan but need not be constructed to commercial building standards. The model row site plan in PUDs with residential lot/lots and parking lot shall be reviewed and approved by the SPRC (Site Plan Review Committee). ~~and approved by the City Council.~~
- (E) Model home permits shall not be issued in areas designated for conversion from single-family residential as identified in the adopted Zoning Conversion Area Manual. However, model home sales centers in ROI land use areas with compatible office zoning that comply with all site plan, office building design and land development regulations are permitted in those areas.

(Ord. No. 15-76, § 1, 10-12-15; Ord. No. 16-38, § 1, 7-11-16)

Sec. 163.21. Application for Permit.

- (A) Except as otherwise provided in Section 163.25, the application for the model home permit must be filed with the zoning administrator, and the site inspected, and plan approved prior to issuance of the certificate of occupancy for the dwelling for which the permit is sought.
- (B) The application for permit shall contain:
 - 1. The name of the applicant.
 - 2. The registration or certificate number of the applicant or, if the applicant is a qualified company, the registration or certificate number of the qualifying agent.
 - 3. The legal description of the property upon which the model home will be located and the parking lot if applicable.
 - 4. Proof that the applicant or qualifying company is the owner of the property upon which the model home will be located.
 - 5. A copy of the current certificate of competency issued by city to the applicant allowing the applicant to engage in the business of contracting.
 - 6. A site drawing that includes dimensions of the location of the model home site, designated office/sales area location within the home, parking, access or sidewalk areas and landscape design.

7. Registration and administrative review fee.

(Ord. No. 15-76, § 1, 10-12-15)

Sec. 163.22. Registration and Administrative Review Fee.

A fee shall be established by the Planning and Zoning Department as a part of their development review fee structure as prescribed for issuance of a model home permit pursuant to section 163.02.

(Ord. No. 15-76, § 1, 10-12-15)

Sec. 163.23. Duration and Renewal.

A model home permit shall be issued for a period of ten (10) years. Renewal of the model home permit may be permitted through application for a new permit. The removal and replacement of a house on an existing approved model home site shall require a new application for a model home permit.

(Ord. No. 15-76, § 1, 10-12-15; Ord. No. 16-38, § 1, 7-11-16)

Sec. 163.24. Expiration.

- (A) **Sale.** The model home permit shall automatically expire upon the sale or transfer of the model home, provided, however, that, if ownership of the model home is transferred to a qualified company, the model home permit may be transferred to the new owner. In the event the model home is sold and the permit holder leases the model home from the purchaser, the permit holder may continue to operate the model home for the remainder of the permitted term, provided the permit holder is otherwise in compliance with this chapter.
- (B) **Automatic expiration.** If the qualified company is not the original permit holder and the qualifying agent resigns or otherwise ceases to serve as the qualifying agent, the permit shall automatically expire and shall not be renewed.

(Ord. No. 15-76, § 1, 10-12-15)

Sec. 163.25. Reserved.

Editor's note(s)—Ord. No. 16-38, § 1, adopted July 11, 2016, repealed § 163.25Editor's note(s)—, in its entirety.

Former §§ 163.25Editor's note(s)— pertained to "Transition Schedule," and was derived from Ord. No. 15-76, § 1, adopted October 12, 2015.

Sec. 163.26. Appeal.

In the event the Zoning Administrator denies the application for a permit or a renewal thereof, the applicant shall have a right of appeal to the City Council. The City Council shall review the application together with any additional information provided by the applicant and may, in its discretion, direct the Zoning Administrator to issue the permit or renewal.

(Ord. No. 15-76, § 1, 10-12-15)

Secs. 163.27—163.34. Reserved.

ARTICLE III. ENFORCEMENT

Sec. 163.35. Violation and Enforcement Procedures.

Violations of this chapter shall be cited by the Code Compliance Division pursuant to procedures set forth in Chapter 37 of the Code of Ordinances

(Ord. No. 15-76, § 1, 10-12-15)

Sec. 163.99. Penalty.

Any owner or lessee failing to comply with any part of this chapter shall, upon conviction, be punished as provided for in Chapter 37 of the Code of Ordinances.

(Ord. No. 15-76, § 1, 10-12-15)