



City of Holmes Beach

March 4, 2026

MEMORANDUM

TO: City Commission, City of Holmes Beach

FROM: Chad Minor, Director of Development Services

SUBJECT: 1ST Reading: Ord. No. 26-03 _ Seaside Gardens, Non-Conforming Structures

EXISTING CONDITIONS

Seaside Gardens is a truly unique community that is un-replicated anywhere else in the city. However, this uniqueness has created zoning and land use challenges due to the fact the underlying zoning of Seaside Gardens (R-4, Medium density residential district) has created a series of non-conformities that impact many of the existing units and their ability to re-construct or improve. In addition, a majority of the attached townhome units now located within the community are ground level. As such, they are nonconforming to the Base Flood Elevation (BFE) requirements.

PREVIOUS CITY COMMISSION ACTION

In response to the issues surrounding reconstruction of non-conforming units, City Commission approved Ord. No. 23-19 in September 2023. Ordinance No. 23-19 allowed nonconforming townhomes within the R-4 zoning district which have been involuntarily damaged 50 percent or more of townhome's market value to be reconstructed provided the conditions of the ordinance are met. It should also be noted that at the time Ord. No. 23-19 was adopted, many of the Seaside Gardens residents were not supportive of the voluntary reconstruction of the non-conforming units.

CURRENT REQUEST

City staff attended the Seaside Gardens annual civic association/homeowners meeting on February 9, 2026 and the issue of voluntary vs. non-voluntary reconstruction was discussed. A majority of the homeowners in attendance were now supportive of the ability to reconstruct on a voluntary basis as well. They requested staff present an ordinance that would allow for the voluntary reconstruction of non-conforming units similarly to those units allowed to rebuild upon being involuntarily damaged 50 percent or more of townhome's market value. As a result, staff has prepared the attached ordinance language (Ord. No. 26-03) allowing voluntary demolition and reconstruction of non-conforming units.

SUMMARY

Staff's focus and intent of the ordinances related to the Seaside Gardens is to address, insofar as possible, the non-conformities and allow the common wall units the potential to re-build to current floodplain standards and create flood-compliant and safer structures. It is also recognized that quality of life would no doubt be impacted

by construction of an adjacent unit and the city must try and balance this with the ability to create resilient and safer buildings. Ordinance language to allow like-for-like units to be built in compliance with FEMA and the floodplain ordinance is critical. It is also important to note that it is not the staff's intent to introduce allowances for additional structures within the flood hazard areas or to create additional non-conformities.