

ORDINANCE NO. 410.95

AN ORDINANCE OF THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA; AMENDING CHAPTER 66 OF THE TOWN CODE REGARDING RESIDENTIAL LOTS, DEFINING SIDE YARD LOT LINES; REQUIRING SIDE YARD LOT LINES TO BE CONTINUOUS STRAIGHT LINES AS A REQUIREMENT FOR PLATS, REPLATS OR WAIVER OF PLATS; REQUIRING DEVELOPMENT TO BE ON A PARCEL OF LAND NO SMALLER THAN ONE PLATTED LOT; REQUIRING RECORDED UNITY OF TITLE ON EACH NEW OR ALTERED STRUCTURE; CORRECTING A SCRIVENERS ERROR IN SEC. 66-69(i); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Chapter 66 of the Town Code is hereby amended to provide as follows:

"CHAPTER 66  
ZONING  
ARTICLE I  
SEC. 66-1 DEFINITIONS

• • •

Setback • • •

Side Property Lines, Side Yard Property Lines or Side Lot Lines mean those perimeter property lines that connect the outer ends of the front property line with the rear property line of a parcel where a single family residence is built or to be built and abuts a neighboring property but not a road right-of-way or public waterway.

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New language is underlined.  
~~Deleted language is struck through~~

Sec. 66-68 Full Size Lot Restriction.

No building shall be erected, constructed, or structurally altered in the town unless it shall be erected, constructed or structurally altered upon at least one Full Size Lot with a unity of title for said parcel in the favor of the town in a form approved by the Town Attorney and recorded in the Public Records of Dade County, Florida at the expense of the property owner, prior to issuance of a building permit.

Sec. 66-69 Minimum Frontage, Square Footage and Height of Residence.

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(h) If an existing residential structure is built on two or more abutting 50-Foot Lots or on a 50-Foot Lot and an Irregular Lot, Construction or reconstruction thereof shall be permitted only in accordance with the terms and conditions of subsections (a) through (d) of this section and section 66-70, below.

(i) Residential structures built in the Town shall not exceed 27.5 feet in height if built on lots ~~of 51-foot to 99-foot Frontage~~ with frontage of 50 feet or larger, but less than 100 feet; or 30 feet in height if built on 100-foot Frontage or larger parcel or lots. Exempted Lots shall not exceed 25 feet in height.

Sec. 66-70 Side Property Line Requirement.

No building may be erected, constructed or structurally altered in the Town, unless it shall be erected, constructed or structurally altered on a parcel of land with side yard property lines or side lot lines that are continuous straight lines. No parcel of land shall be platted, replatted, nor shall a waiver of plat be approved for any parcel of land unless the parcel has side yard property lines or side yard lot lines that are continuous straight lines.

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**Section 2. Conflict** That all ordinances or parts of ordinances, all Town Code sections or parts of Town Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 3. Severability** That the provisions of this Ordinance are 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 stand notwithstanding the invalidity of any part.

**Section 4. Inclusion In The Code.** That it is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the Town of Golden Beach; that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 5. Effective Date.** That this Ordinance shall become effective immediately upon its adoption on second reading.

PASSED AND ADOPTED on first reading this 19th day of September, 1995.


The Motion to adopt the foregoing Ordinance on first reading was offered by Councilman Rosenthal, seconded by Vice Mayor Lowrance, and on roll call the following vote ensued:

Mayor Cuenca	Aye
Vice Mayor Lowrance	Aye
Councilman Addicott	Aye
Councilman Fistel	Absent
Councilman Rosenthal	Aye

PASSED AND ADOPTED on second reading this 17th day of October, 1995.

The Motion to adopt the foregoing Ordinance on second reading was offered by Councilman Rosenthal, seconded by Vice Mayor Lowrance, and on roll call the following vote ensued:

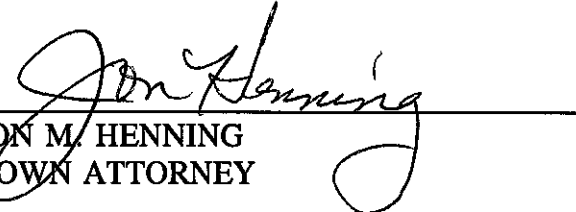
Mayor Cuenca	Aye
Vice Mayor Lowrance	Aye
Councilman Addicott	Aye
Councilman Fistel	Aye
Councilman Rosenthal	Aye

  
 \_\_\_\_\_  
 MAYOR JUDY CUENCA

ATTEST:

  
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~~TOWN CLERK/DEPUTY TOWN CLERK~~

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
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 JON M. HENNING  
 TOWN ATTORNEY