

ORDINANCE NO. 362-87

ORDINANCE AMENDING ORDINANCE 52 AS AMENDED BY ORDINANCE 160; FINDINGS; ESTABLISHING MAXIMUM FIRST FLOOR ELEVATION OF RESIDENCES; REQUIRING RESIDENCES TO CONFORM TO FLOOD PLAIN CRITERIA AS SET FORTH BY METROPOLITAN DADE COUNTY, UNITED STATES GOVERNMENT AND THE FLOOD DAMAGE PREVENTION ORDINANCE OF THE TOWN OF GOLDEN BEACH; REPEALING ALL ORDINANCE IN CONFLICT; EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach has heretofore adopted the National Flood Insurance Program (NFIP) as recommended by the Federal Emergency Management Agency (FEMA), and

WHEREAS, the Town of Golden Beach pursuant to Ordinance 350-87 has adopted a Flood Damage Prevention Ordinance, and

WHEREAS, Ordinance No. 52 as amended by Ordinance 160, Section 7 (a) requires the first floor level of residences to conform with the flood plain criteria as set forth by the Metropolitan Dade County and the United States Government, and

WHEREAS, the public health, safety and welfare require the establishment of a maximum first floor level for residences within the Town in order to prevent depreciation of property values, curtailment of air flow and sunlight, grotesque and unusual construction and architectural design in relation to existing residences within the Town, and

WHEREAS, the Town Council finds that to protect the public health, safety and welfare the maximum height of a first floor of a residence to be constructed on lots in Zone One (1) and on lots in Zone Two (2) facing Ocean Boulevard should be no higher than the minimum permitted elevation, and that the maximum height of a first floor of a residence to be constructed on other lots in Zone Two (2) and in Zone Three (3) should be no higher than one (1) foot above the minimum elevation of a first floor level as permitted by applicable regulatory ordinances.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH HEREBY ORDAINS.

Section 1: That Ordinance 52 as amended by Section 7 (a) of Ordinance 160 be and the same is hereby amended as follows:

(7) Elevation of House and Garage Floors.

(a) The minimum elevation of the first floor level of residences shall comply with or conform to flood plain criteria and regulatory codes as set forth by Metropolitan Dade County, the State of Florida and the United States Government - including the provisions of the National Flood Insurance Program, the South Florida Building Code and the Town of Golden Beach Flood Damage Prevention Ordinance. The maximum elevation of the first floor level of any residence in the Town above the minimum elevation required by said regulatory codes shall be maintained as follows:

(1) residences to be constructed on lots in zone One (1) and on lots facing Ocean Boulevard in Zone Two (2) shall be constructed no higher than the minimum permitted elevation.

However, in no case shall the first floor elevation of such residences in Zone Two (2) facing Ocean Boulevard be less than two (2) feet higher than the pavement of Ocean Boulevard abutting the property.

(2) residences to be constructed on all other lots in Zone Two (2) and on lots in Zone Three (3) shall be constructed no higher than one (1) foot above the minimum permitted elevation.

Section 2: All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed insofar as they are in conflict.

Section 3: This ordinance shall take effect in manner provided by law.

PASSED AND ADOPTED ON FIRST READING: October 20, 1987

PASSED AND ADOPTED ON SECOND READING: November 17, 1987

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida this 17 day of November, 1987

The Motion to adopt the foregoing was offered by:

Vice Mayor Tweddle

seconded by:

Councilman Sorota

and on roll call the following vote ensued:

Mayor Tobin	aye
Vice Mayor Tweddle	aye
Councilman Fried	aye
Councilman Duffner	aye
Councilman Sorota	aye

MAYOR

TOWN ATTORNEY

TOWN CLERK

ATTEST