

ORDINANCE NO. 392.93

AN EMERGENCY ORDINANCE OF THE TOWN OF GOLDEN BEACH AMENDING SECTION 13.12(E)(1) OF THE TOWN CODE TO PERMIT THE INSTALLATION OF MECHANICAL EQUIPMENT INCLUDING AIR CONDITIONING TO COMPLY WITH FEDERAL FLOOD CONTROL ELEVATION CRITERIA AND PROVIDING FOR APPROPRIATE AESTHETIC SCREENING; LANDSCAPING SAID EQUIPMENT; CREATING NOISE ABATEMENT; PROVIDING FOR APPROVAL BY THE BUILDING REGULATION BOARD; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ONE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Federal Emergency Management Agency requires, and Metropolitan Dade County Ordinance No. 87-75 adopted the requirements that mechanical equipment, specifically air conditioner compressors be located at the highest elevation possible, to minimize or eliminate flood damages and

WHEREAS, there are a few houses recently completed, and others under construction whose owners and contractors have requested clarification on this matter and

WHEREAS, our present Ordinances section 13.12(E)(1) prohibits any structure located on any house setback to exceed the height of 36 inches and;

WHEREAS, it is impossible to comply with both ordinances

appearance and maximize noise abatement and trans-
mission of sound.

3. This Ordinance applies only to Section 13.12(E)(1) and the remaining articles of said Section 13.12 (E)(1) remain in full force and effect.
4. That this Ordinance is declared to be an emergency Ordinance and shall take effect immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida the 16 day of March, 1993.

The Motion to adopt the foregoing was offered by:

Councilman Rosenthal

Seconded by

Councilman Duffner

and on roll call the following vote ensued:

Mayor Nelson aye
Vice Mayor Addicott aye

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WHEREAS, it is impossible to comply with both ordinances

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

Section 1. That the Town Ordinance Section 13.12(E)(1) be and the same is hereby amended as follows;

1. No structure, the height of which shall exceed thirty-six (36) inches shall be constructed in any setback, with the exception of mechanical equipment, that can be constructed in such a way that its bottom is located at the required Base Flood Elevation as established by the Flood Insurance Rate Map (FIRM), and any subsequent revised map adopted by the National Flood Insurance Program.

This Ordinance shall be effective immediately upon passage by Town Council.

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PASSED AND ADOPTED by the Town Council of the Town of Golden Beach,
Florida the 16th day of March, 1993.

The Motion to adopt the foregoing was offered by:

COUNCILMAN ROSENTHAL and seconded by
COUNCILMAN DUFFNER

and on roll call the following vote ensued:

Mayor Nelson	<u>aye</u>
Vice Mayor Addicott	<u>aye</u>
Councilman Duffner	<u>aye</u>
Councilman Mena	<u>aye</u>
Councilman Rosenthal	<u>aye</u>

Ray C. Hill, Mayor
MAYOR

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY



TOWN ATTORNEY

ATTEST

Joel Quasa
TOWN CLERK