

GOLDEN BEACH, FLORIDA

ORDINANCE NO. 529.07

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66 "ZONING", ARTICLE IV "SUPPLEMENTARY DISTRICT REGULATIONS", DIVISION 8 "GARAGES", SECTION 66-201 "REQUIRED" TO MODIFY THE MINIMUM NUMBER OF REQUIRED GARAGES; AMENDING SECTION 66-205 "CONVERSION" TO ALLOW GARAGE CONVERSION FOR CERTAIN HOMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council desires to modify the minimum number of garages required for each home and to establish the new minimum requirements based upon the total square footage of each home's lot frontage; and

WHEREAS, the Town Council has determined that Town Code Section 66-205 addressing garage conversions needs to be revised to be consistent with the intent of the Town Code to require that every home located within the Town must have a minimum of a one-car garage; and

WHEREAS, the Town Council finds that the adoption of this Ordinance is in the best interest of the citizens of the Town of Golden Beach;

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

Section 1. Recitals Adopted. That each of the above recitals is hereby adopted and confirmed.

Section 2. Amendment to Town Code Section 66-201. That the Code of Ordinances of the Town of Golden Beach, Florida, Section 66-201 entitled "Required" is hereby amended to read as follows¹:

Sec. 66-201. Required.

~~Every new house in the Town shall be provided with at least one one-car garage.~~
(Code 1989, § 13.15(A))

Set forth below are the requirements pertaining to the minimum number of garages required for homes located within the Town:

- (a) Lots with less than 100 feet of frontage: Each home in the Town with a lot frontage of less than 100 feet must contain at least a one-car garage;
- (b) Lots with a frontage of 100-feet or more: Each house in the Town with a lot frontage of 100 feet or more must contain a minimum of a two-car garage, except as specifically provided in Section 66-205.

Section 3. Amendment to Town Code Section 66-205. That the Code of Ordinances of the Town of Golden Beach, Florida, Section 66-205 entitled "Conversion" is hereby amended to read as follows:

Sec. 66-205. Conversion.

~~Any property Owner in the Town may obtain a building permit to enclose an existing garage or convert an existing garage to a room as part of the Living Area of the property Owner's residence.~~

¹ / Proposed additions to existing Town Code text are indicated by underline; proposed deletions from existing Town Code text are indicated by ~~strikethrough~~.

Any owner of an existing home with a minimum of a two-car garage and who has obtained a Certificate of Occupancy on or before September 18, 2007, may obtain a building permit to convert existing garage(s) to be a part of the Living Area, subject to the condition that at least one garage with minimum interior dimensions of 11 by 22 feet must remain after conversion. Issuance of a building permit for a garage conversion shall also be subject to compliance with the following conditions:

(1) A building permit shall be issued to the property Owner upon presentation to the Town of properly engineered building plans, which plans shall set forth the following:

- a. The floor level of the garage to be enclosed shall be in compliance with the ~~South-Florida~~ Building Code and this Code.
- b. Light and ventilation for the garage to be enclosed shall be provided as set forth in subsection ~~1305.4~~ 303.1 of the ~~South Florida~~ Building Code.
- c. The minimum room dimension and ceiling height for the garage structure to be enclosed shall be as set forth in section ~~304~~ 1305.2 of the ~~South-Florida~~ Building Code.
- d. An external rendering of the structure to be enclosed shall be presented to the Building Regulation Advisory Board, which rendering shall show the garage structure as it will look after completion of enclosure.

e. The property Owner shall provide off-Street parking for a minimum of two cars upon the property on which the garage to be enclosed is located.

(2) The property Owner, as a condition of obtaining a building permit, shall provide for the elimination of the asphalt drive in front of the garage, which area shall be covered by landscaping or planters.

(Code 1989, § 13.15(G))

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 5. Inclusion in the Code. That the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Golden Beach, Florida; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Conflict. That all ordinances or resolutions or parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. Effective Date. That this Ordinance shall become effective immediately upon adoption on second reading.

Sponsored by Town Administration.

The Motion to adopt the foregoing Ordinance was offered by Council Member Lusskin, seconded by Council Member Rojas, and on roll call the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Bernstein	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Rojas	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>

PASSED AND ADOPTED on first reading this 21st day of August, 2007.

The Motion to adopt the foregoing Ordinance was offered by Councilmember Judy Lusskin, seconded by Vice Mayor Bernstein and on roll call the following vote ensued:

Mayor Singer	<u>Aye</u>
Vice Mayor Bernstein	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Rojas	<u>Aye</u>
Councilmember Lusskin	—

PASSED AND ADOPTED on second reading this 18th day of September, 2007.



MAYOR GLENN SINGER

ATTEST:

ELIZABETH SEWELL
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



TOWN ATTORNEY