

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 554.12

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, ZONING, SPECIFICALLY BY AMENDING ARTICLE III, ENTITLED "DISTRICT REGULATIONS," CHANGING THE 30 FOOT FRONT SETBACK TO 35 FEET, AND DECREASING THE IMPERVIOUS AREA REQUIREMENTS FROM 50% TO 40% FOR THOSE EXEMPTED LOTS IN ZONE THREE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Building Official has identified an area within Chapter 66 of the Town Code which has proposed corrections and amendments to Chapter 66, Zoning; and

WHEREAS, the Town Manager and Building Official have prepared the proposed text amendments; and

WHEREAS, after careful consideration of this matter, the Town Council has determined that it is in the best interests of the Town to approve text amendments to Chapter 66, Zoning.

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

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

* * *

Section 1. Amendment Chapter 66 of the Town Code is amended by making modifications to Article III, in the following particulars.

"ARTICLE III. DISTRICT REGULATIONS.

* * *

Section 66-69. Minimum frontage, building square footage and height of residence.

* * *

(5) The following lots are exempted from this section except as noted in paragraph (1) above:

* * *

b. Any improved lot, in Zone Three, with less than the full lot size required but at least 7,500 square feet of lot area and 50 feet of lot frontage may be redeveloped provided total impervious area does not exceed ~~50%~~ 40% of the lot area, minimum front setbacks of 30 ~~35 feet~~ and rear setbacks of 30 feet are provided, minimum side setbacks of 7.5 feet are provided, and building height does not exceed 25 feet. Such construction on undersized lots shall meet all other requirements of these land development regulations not modified in this sub-section.

Section 3. Implementation. The Town Clerk and Town Manager are hereby authorized to take any and all action necessary to implement this Ordinance and make it part of the Town Code including re-numbering or re-lettering the code references and ordering.

Section 4. Severability. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 5. Conflicts. To the extent that this Ordinance conflicts wholly or partially with any existing provision in the Town Code, the terms of this Ordinance shall prevail.

Section 6. Effective Date. This Ordinance shall be effective immediately upon adoption.

Sponsored by Town Administration.

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

Mayor Glenn Singer	<u>Absent</u>
Vice Mayor Amy Isackson-Rojas	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>

PASSED AND ADOPTED on first reading this 21st day of August, 2012.

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

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Amy Isackson-Rojas	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Bernard Einstein	<u>Absent</u>

PASSED AND ADOPTED on second reading this 24th day of September, 2012.



MAYOR GLENN SINGER

ATTEST:


LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY