



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

---

Official Agenda for the October 30, 2018  
Local Planning Agency Hearing called for 7:00 P.M.

---

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. ADOPTION OF AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS**

**1. An Ordinance Amending the Town's Code of Ordinances to Revise Requirements for Zone One (Oceanfront Properties).**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, TO AMEND CHAPTER 66 "ZONING" TO REVISE REQUIREMENTS FOR ZONE ONE (OCEANFRONT PROPERTIES). (D) BUILDING HEIGHT. (1) MAIN RESIDENCE, (d). AMENDING ALLOWABLE USE IN THE AREA BELOW THE 18.2 FEET NGVD, TO INCLUDE A GYM AND LAUNDRY FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 1  
Ordinance No. 584.18

**Sponsor:** Town Administration

**Recommendation:** Motion to Approve Ordinance No. 584.18

**D. ADJOURNMENT:**

---

**DECORUM:**

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COUNCIL SHALL BE BARRED FROM THE COUNCIL CHAMBERS BY THE PRESIDING OFFICER. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACE CARDS SHALL BE ALLOWED IN THE COUNCIL CHAMBERS. PERSONS EXITING THE COUNCIL CHAMBERS SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COUNCIL CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS.

PURSUANT TO FLORIDA STATUTE 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THAT PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHER INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

IF YOU NEED ASSISTANCE TO ATTEND THIS MEETING AND PARTICIPATE, PLEASE CALL THE TOWN MANAGER AT 305-932-0744 EXT 224 AT LEAST 24 HOURS PRIOR TO THE MEETING. RESIDENTS AND MEMBERS OF THE PUBLIC ARE WELCOMED AND INVITED TO ATTEND.



# TOWN OF GOLDEN BEACH

One Golden Beach Drive  
Golden Beach, FL 33160

---

## MEMORANDUM

---

**Date:** October 30, 2018

**To:** Honorable Mayor Glenn Singer &  
Town Council Members

**From:** Alexander Diaz, *Alex B.*  
Town Manger

**Subject:** Ordinance No. 584.18 – Amending Code, Chapter 66,  
Ordinance 573.17, Uses below the 18.2 feet N.G.V.D. for Zone  
One (Oceanfront Properties)

Item Number:

1

---

### **Recommendation:**

It is recommended that the Town Council adopt the attached Ordinance No. 584.18 as presented.

### **Background:**

Amending Ordinance 573.17, approved by Town Council on May 16, 2017 on second reading, to add additional uses to the area below 18.2 feet N.G.V.D to include a gym and laundry room, these items were discussed at the Town Council meeting held on May 16, 2017 and were to be included in the Ordinance. They were omitted in error.

No changes since first reading.

### **Fiscal Impact:**

None.

**TOWN OF GOLDEN BEACH, FLORIDA**

**ORDINANCE NO. 584.18**

1           **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF**  
2           **GOLDEN BEACH, FLORIDA, TO AMEND CHAPTER 66 “ZONING”**  
3           **TO REVISE REQUIREMENTS FOR ZONE ONE (OCEANFRONT**  
4           **PROPERTIES). (D) BUILDING HEIGHT. (1) MAIN RESIDENCE,**  
5           **(d). AMENDING ALLOWABLE USE IN THE AREA BELOW THE**  
6           **18.2 FEET NGVD, TO INCLUDE A GYM AND LAUNDRY**  
7           **FACILITIES. PROVIDING FOR SEVERABILITY; PROVIDING FOR**  
8           **CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND**  
9           **PROVIDING FOR AN EFFECTIVE DATE.**

10           **WHEREAS**, Article VIII, Section 2 of the Florida Constitution, and Chapter 166,  
11 Florida Statutes, provide municipalities the authority to exercise any power for municipal  
12 purposes, except where prohibited by law, and to adopt ordinances in furtherance of such  
13 authority; and

14           **WHEREAS**, the Town Council of the Town of Golden Beach (“Town Council”) finds  
15 it periodically necessary to amend its Code of Ordinances and Land Development  
16 Regulations (“Code”) in order to update regulations and procedures to implement  
17 municipal goals and objectives; and

18           **WHEREAS**, the Town Council has studied the current Code provisions of the Town  
19 and finds that certain modifications are necessary and desirable to further regulate all  
20 residential development; and

21           **WHEREAS**, the Town desires to provide setback and height regulations for  
22 development of undersized lots to encourage development and redevelopment consistent  
23 with the aesthetic goals and conditions of the Town; and

24           **WHEREAS**, the Town desires to reorganize the site development regulations,  
25 such as height, setbacks, and lot size and coverage requirements in a consolidated user  
26 friendly format; and

27           **WHEREAS**, Town staff recommends approval of the proposed changes; and

28           **WHEREAS**, the Town's Local Planning Agency has reviewed this Ordinance on  
29 this \_\_\_\_\_ day of \_\_\_\_\_, 2018, and has determined that it is consistent with the  
30 Town's Comprehensive Plan; and

31           **WHEREAS**, pursuant to Section 166.041 (c)(2), Florida Statutes, notice has been  
32 given by publication in a paper of general circulation in the Town, notifying the public of  
33 this proposed Ordinance and of the time and dates of the public hearings; and

34           **WHEREAS**, two (2) public hearings were held before the Town Council pursuant  
35 to the published notice described above; and

36           **WHEREAS**, the Town Council finds that adoption of this Ordinance through its  
37 police powers will protect the public health, safety, and welfare of the residents of the  
38 Town, and furthers the purpose, goals, objectives, and policies of the Town's  
39 Comprehensive Plan.

40           **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**

41 **TOWN OF GOLDEN BEACH, FLORIDA<sup>1</sup>:**

42 **Section 1.** That the preceding “Whereas” clauses are ratified and incorporated as  
43 a record of the legislative intent of this Ordinance.

44 **-Chapter 66 - ZONING**

45

46 **ARTICLE III. – District Regulations**

47 **66-69.1 Zone One (Oceanfront Properties).**

48

49 (d) Building height.

50 (1) Main Residence.

51 a. Primary residential structures built on lots with a street frontage at least  
52 50 feet in width but less than 75 feet in width shall not exceed 25 feet in  
53 height.

54 b. Primary residential structures built on lots with a street frontage at least  
55 75 feet in width but less than 100 feet in width shall not exceed 27.5 feet  
56 in height.

57 c. Primary residential structures built on lots with a street frontage of 100  
58 feet or more shall not exceed 30 feet in height.

59 d. The height measurement for main residences shall be measured from  
60 the lowest habitable living area which is a maximum of two (2) feet above  
61 the FDEP lowest structural member (18.2 feet NGVD). This height  
62 measurement shall include all portions of the main residence east of the  
63 60-foot front setback line or Coastal Construction Control Line (CCCL),  
64 whichever is more westerly. Areas occupied below 18.2 feet NGVD,  
65 including only garages, storage areas, a gym, laundry room and one  
66 bathroom shall not be considered habitable areas. If any other use  
67 occurs in the area below 18.2 feet NGVD it is considered expendable  
68 from a flood or wave action damage standpoint, and those areas shall  
69 be considered habitable; therefore, the building height shall be  
70 measured from the lowest floor level below 18.2 feet NGVD.

71 \* \* \*

---

<sup>1</sup> Additions to the text are shown in underline. Deletions to the text are shown in ~~striketrough~~. Changes made between first and second reading are highlighted in yellow.



100 Councilmember Judy Lusskin \_\_\_\_\_  
101 Councilmember Kenneth Bernstein \_\_\_\_\_

102  
103  
104

**PASSED AND ADOPTED** on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018

105 .  
106

107 ATTEST:

\_\_\_\_\_  
MAYOR GLENN SINGER

108  
109  
110  
111

\_\_\_\_\_  
LISSETTE PEREZ  
TOWN CLERK

112  
113  
114  
115  
116  
117  
118  
119

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY

120  
121  
122  
123