



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

**Official Agenda for the January 28, 2020
Local Planning Agency Hearing called for 6:00 P.M.**

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. ADOPTION OF AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS

1. An Ordinance of the Town Council Amending the Town's Code Chapter 46, Section 46-85 Height of Seawalls and Docks and Extensions of Decks of Docks.

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE IV OF CHAPTER 46 ENTITLED WATERWAYS, SEC. 46-85. HEIGHT OF SEAWALLS AND DOCKS AND EXTENSIONS OF DECKS OF DOCKS; TO ALLOW THE DECK OF A DOCK TO BE CONSTRUCTED AT THE A MINIMUM SEAWALL HEIGHT OF 3.425 NAVD-88 OR AT MAXIMUM SEAWALL HEIGHT OF 4.425 NAVD-88; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS AND PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 591.19

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 591.19

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: January 28, 2020

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz,
Town Manger *Alex B*

Subject: Ordinance No. 591.19– Amending Code, Chapter 46, Section
46-85, Height of the deck of the dock.

Item Number:

1

Recommendation:

It is recommended that the Town Council adopt the attached Ordinance No. 591.19 as presented.

Background:

At the October 15, 2019 Regular Town Council meeting, the Mayor and Town Council directed staff to amend the code as it relates to decks of docks. The Council's desire is to allow for the deck of docks to be at the same elevation of seawall caps should the property owner desire to do so.

This Ordinance amends the code to allow for said to be achieved.

We will now allow for decks of docks and seawall caps to be at a maximum height of 4.425 NAVD-88, this Ordinance is changing the allowable maximum height of the deck of the dock to be at the maximum allowable seawall height of 4.425 NAVD-88.

Fiscal Impact:

None.

TOWN OF GOLDEN BEACH

ORDINANCE NO. 591.19

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE IV OF CHAPTER 46 ENTITLED WATERWAYS, SEC. 46-85. HEIGHT OF SEAWALLS AND DOCKS AND EXTENSIONS OF DECKS OF DOCKS; TO ALLOW THE DECK OF A DOCK TO BE CONSTRUCTED AT THE A MINIMUM SEAWALL HEIGHT OF 3.425 NAVD-88 OR AT MAXIMUM SEAWALL HEIGHT OF 4.425 NAVD-88; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council periodically studies land development trends and issues and amends the Town's Land Development Regulations accordingly; and

WHEREAS, the Town Council has studied the current Code provisions of the Town and find that certain modifications are necessary and desirable to update various requirements for construction of a dock; and

WHEREAS, a public meeting was held before the Local Planning Agency (LPA) of the Town to review the proposed modifications to the Town's Land Development Regulations; and

WHEREAS, the Town Council held duly advertised public meetings to consider the proposed modifications to the Town's Land Development Regulations.

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

Section 1. Recitals Adopted. That the preceding "Whereas" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2. Code Amended. That the Town of Golden Beach Code is hereby amended to modify Chapter 46 - Waterways of the Code of Ordinances as more fully set forth in the attached Exhibit "A", and by reference are made a part hereof.

Section 3. Code Amended. That is any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

Section 4. Codification. That it is the intention of the Town Council of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Repealer. That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. Effective Date. That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

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

Mayor Glenn Singer	<u>Aye</u>
Vice-Mayor Kenneth Bernstein	<u>Aye</u>

Councilmember Judy Luskin Aye
Councilmember Jaime Mendal Absent
Councilmember Bernard Einstein Aye

PASSED AND ADOPTED on first reading this 19th day of November, 2019.

The Motion to adopt the foregoing Ordinance was offered by _____.

seconded by _____, and on roll call the following vote ensued:

Mayor Glenn Singer _____
Vice-Mayor Kenneth Bernstein _____
Councilmember Judy Luskin _____
Councilmember Jaime Mendal _____
Councilmember Bernard Einstein _____

PASSED AND ADOPTED on second reading this ___ day of _____, 2020.

ATTEST:

MAYOR GLENN SINGER

LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

STEPHEN J. HELFMAN
TOWN ATTORNEY

EXHIBIT “A”

**The Town of Golden Beach, Florida Code of Ordinances
is hereby amended as follows:**

CHAPTER 46 WATERWAYS

ARTICLE IV. SEAWALLS AND DOCKS

Sec. 46-85. Height of seawalls and docks and extensions of deck of dock.

No seawall and no deck of any dock shall exceed an elevation of ~~3.425~~ 4.425 feet above the North American Vertical Datum of 1988 (NAVD-88) No cover shall be permitted to be erected in connection with any dock. The minimum elevation of the top of any seawall shall be 3.425 feet above NAVD-88 and the maximum elevation shall be 4.425 feet NAVD-88. For general historical information only, the May 8, 2018 amendment to this section, converted measurements from N.G.V.D. to NAVD resulting in revised seawall heights from a minimum of four feet N.G.V.D. to a minimum of five feet N.G.V.D. and from a maximum of five feet N.G.V.D. to a maximum of six feet N.G.V.D.