

ORDINANCE NO. 14 - 1614

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING", AND SPECIFICALLY AMENDING SECTION 90-50 "ARCHITECTURE AND ROOF DECKS" TO ALLOW FOR THE INSTALLATION OF TWO CAR GARAGE DOORS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside ("Town") proposes to amend its Code of Ordinances to address garage door regulations that were impractical and not financially feasible for property owners; and

WHEREAS, the code requires that if there is a garage that accommodates two cars there must be two separate garage doors installed; and

WHEREAS, the Town has determined that this requirement is not practical or financially feasible for the installation of a garage door; and

WHEREAS, The Town Commission held its first public reading on December 10, 2013 and recommended approval of the proposed amendments to the Code of Ordinances having complied with the notice requirements by the Florida Statutes; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, has held a public hearing on January 30, 2014 and recommended approval of the proposed amendments to the Code of Ordinances and also found the proposed Code amendments to be consistent with the Comprehensive Plan; and

WHEREAS, The Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on February 11, 2014 and further finds the proposed change to the Code necessary and in the best interest of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AS FOLLOWS:

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2. Code Amendment. The code of the Town of Surfside, Florida is hereby amended as follows:

Sec. 90-50. Architecture and roof decks.

9-50.1 Architecture.

(5) Garage facades. Attached garages located at the front of a single family home shall not exceed 50 percent of the overall length of the facade. ~~If a garage is provided to accommodate two cars, the garage entrances must have an exterior expression of two separate entrances, each a maximum of ten feet wide, and separated by an 18-inch wide vertical element consistent with the facade.~~

Section 3. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 4. Conflict. All sections or parts of sections of the Town of Surfside Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

Section 5. Inclusion in the Code of Ordinances. It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Town of Surfside Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective ten (10) days after adoption on second reading.

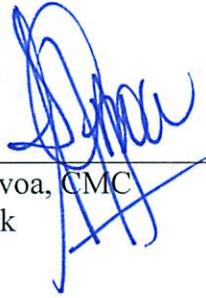
PASSED and ADOPTED on first reading this 10th day of Dec, 2013.

PASSED and ADOPTED on second reading this 11th day of Feb, 2014.



Daniel Dietch, Mayor

ATTEST:



Sandra Novoa, CMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



Linda Miller, Town Attorney

On Final Reading Moved by: Commissioner Graubart

On Final Reading Seconded by: Vice Mayor Karukin

Vote:

Mayor Daniel Dietch	yes	<input checked="" type="checkbox"/>	no	_____
Vice Mayor Michael Karukin	yes	<input checked="" type="checkbox"/>	no	_____
Commissioner Graubart	yes	<input checked="" type="checkbox"/>	no	_____
Commissioner Kligman	yes	<u>ABSENT</u>	no	_____
Commissioner Olchyk	yes	<input checked="" type="checkbox"/>	no	_____

Handwritten scribbles and marks at the top right of the page.

Handwritten text, possibly a signature or name, located in the upper right quadrant.

Commissioner
Vice Mayor

Handwritten marks and text, possibly a signature or initials, located in the lower left quadrant.

Handwritten text, possibly a signature or name, located in the lower center of the page.