

ORDINANCE NO. 13 – 1605

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” SPECIFICALLY SECTION 90-50 “ARCHITECTURE AND ROOF DECKS” TO EXCLUDE METAL ROOFS FROM PLANNING & ZONING BOARD REVIEW; 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 exclude metal roofs from being subject to Planning and Zoning Board approval; and

WHEREAS, there has been an increase in requests for metal roofs due to their sustainability and energy efficiency; and

WHEREAS, the building department will review applications for metal roofs in the same manner as applications with other approved roofing materials; and

WHEREAS, the Planning and Zoning Board, as the local planning agency for the Town, has held a public hearing on July 25, 2013 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 held its first public reading on July 16, 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 Town Commission has conducted a second duly noticed public hearing on these regulations as required by law on August 13, 2013 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.

(1) The architectural design of proposed main buildings shall create a unique elevation compared to the main buildings of the adjacent two homes on each side of the subject property on the same side of street. If the adjacent lot is vacant then the next adjacent lot shall be utilized. A unique elevation shall be created through the modulation of at least three of the following architectural features:

- a. Length, width and massing of the structure;
- b. Number of stories;
- c. Facade materials;
- d. Porches and other similar articulation of the front facade;
- e. Number and location of doors and windows; and
- f. Roof style and pitch.

(2) All elevations for new structures and multi-story additions (additions greater than 15 feet in height) shall provide for a minimum of ten-percent wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades.

(3) All elevations for single story additions to existing structures shall result in a zero percent net loss of wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades.

(4) Roof materials are limited as follows:

- a. Clay tile; or
- b. White concrete tile; or
- c. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the design review board;
- d. Architecturally embellished metal ~~if granted approval by the design review board~~; or
- e. Other Florida Building Code approved roof material(s) if granted approval by the design review board.

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.

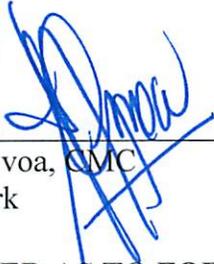
PASSED and ADOPTED on first reading this 16th day of July, 2013.

PASSED and ADOPTED on second reading this 13th day of August, 2013.



Daniel Dietch, Mayor

ATTEST:



Sandra Novoa, CMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



Linda Miller, Interim Town Attorney

On Final Reading Moved by: Vice Mayor Karukin

On Final Reading Seconded by: Commissioner Graubart

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	<u>ABSENT</u>	no	_____

Ordinance No. 13-1405

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