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RESOLUTION NO. 80

RESOLUTION OF THE TOWN OF SEWALL'S POINT, FLORIDA, IN REGARD THE PROPOSED AMENDMENT TO THE ZONING ORDINANCE OF THE TOWN OF SEWALL'S POINT, WHEREIN IT IS PROPOSED TO AMEND THE ZONING ORDINANCE OF THE TOWN BY AMENDING SECTION VI (B-1 BUSINESS DISTRICT) OF SAID ORDINANCE PERTAINING TO LAND LOCATED NORTH OF OCEAN BOULEVARD (STATE ROAD A-1-A), SO THAT HEREAFTER THE USES PERMITTED IN SAID B-1 BUSINESS DISTRICT SHALL BE AS FOLLOWS: 1. ALL USES PERMITTED IN ANY RESIDENTIAL DISTRICT SUBJECT TO ALL THE PROVISIONS SPECIFIED FOR SUCH RESIDENTIAL DISTRICTS, 2. STORES AND SHOPS FOR THE CONDUCTING OF A RETAIL BUSINESS WHICH DO NOT INVOLVE THE MANUFACTURE OF PRODUCTS. 3. PERSONAL SERVICE SHOPS. 4. THEATRES, EXCEPT DRIVE-IN THEATRES, OFFICES, RESTAURANTS AND SIMILAR COMMUNITY SERVICES. 5. COMMERCIAL BOAT HOUSES OR DOCKS. 6. HOTELS WITH NOT LESS THAN TWENTY-FIVE (25) GUEST ROOMS, MOTELS AND CLUBS. 7. SUCH ACCESSORY BUILDINGS AND USES AS ARE NORMALLY INCIDENTAL TO THE PERMITTED USES OUTLINED ABOVE. 8. OTHER USES WHICH THE TOWN COMMISSION DECIDES ARE OF THE SAME GENERAL CHARACTER AS THOSE LISTED AS PERMITTED USES, AND WHICH WILL NOT BE DETRIMENTAL TO THE DISTRICT IN WHICH THEY ARE LOCATED. 9. ANY TRADE OR USE THAT IS OBNOXIOUS OR OFFENSIVE BY THE EMISSION OF ODOR, DUST, SMOKE OR NOISE IS PROHIBITED. 10. OPEN FRONT STORES FOR FEEDING, DRINKING AND OTHER PURPOSES MAY BE ERECTED OR PERMITTED IN BUSINESS DISTRICTS IN THOSE PLACES AND UNDER SUCH CONDITIONS, AS IN THE OPINION OF THE TOWN COMMISSION WOULD NOT ADVERSELY AFFECT THE SAFETY, MORALS, HEALTH OR GENERAL WELFARE OF THE TOWN OR COMMUNITY. NO SUCH PLACE SHALL BE OPERATED EXCEPT UPON PERMIT GRANTED BY THE TOWN COMMISSION ON WRITTEN APPLICATION, AND TO AMEND FURTHER THE ZONING ORDINANCE OF THE TOWN BY AMENDING SECTION VI (B-2 BUSINESS DISTRICTS) PERTAINING TO LAND LOCATED IMMEDIATELY SOUTH OF OCEAN BOULEVARD (STATE ROAD A-1-A) ABUTTING SAID OCEAN BOULEVARD SO THAT HEREAFTER THE USES PERMITTED IN AFORESAID B-2 BUSINESS DISTRICT ABUTTING OCEAN BOULEVARD SHALL BE AS FOLLOWS: 1. ALL USES PERMITTED IN ANY RESIDENTIAL DISTRICT SUBJECT TO ALL PROVISIONS SPECIFIED FOR SUCH RESIDENTIAL DISTRICTS. 2. HOTELS WITH NOT LESS THAN TWENTY-FIVE (25) GUEST ROOMS, MOTELS. 3. SUCH ACCESSORY BUILDINGS AND USES AS ARE NORMALLY INCIDENT TO THE PERMITTED USES OUTLINED ABOVE. 4. MUNICIPAL BUILDINGS, INCLUDING TOWN HALL, FIRE AND POLICE STATIONS, BUT NO JAIL OR GENERAL WORKSHOP, WATER TANK. 5. CHURCHES, LIBRARY, POST OFFICE. 6. PROFESSIONAL AND OFFICE BUILDINGS.

WHEREAS, the Town Commission of the Town of Sewall's Point has deemed it advisable to amend Section VI (B-1 Business Districts) of said zoning Ordinance by making changes in the uses permitted in a B-1 Business District in the area located North of Ocean Boulevard (State

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Road A-1-A), and

WHEREAS, the Town Commission of the Town of Sewall's Point has deemed it advisable to amend Section VI (B-2 Business Districts) of said zoning Ordinance by making changes in the uses permitted in a B-2 Business District located immediately South of Ocean Boulevard (State Road A-1-A), which land abuts said Ocean Boulevard, and

WHEREAS, the change that is to be made is to amend Section VI (B-1 Business District) effective on that part of the B-1 Business District located North of Ocean Boulevard (State Road A-1-A) of the zoning Ordinance of the Town by providing that hereafter the following uses will be permitted in the B-1 Business District, to wit:

1. All uses permitted in any residential district subject to all the provisions specified for such residential districts.
2. Stores and shops for the conducting of a retail business which do not involve the manufacture of products.
3. Personal service shops.
4. Theatres, except Drive-In Theatres, Offices, Restaurants and similar community services.
5. Commercial boat houses or docks.
6. Hotels with not less than twenty-five (25) guest rooms, motels and clubs.
7. Such accessory buildings and uses as are normally incidental to the permitted uses outlined above.
8. Other uses which the Town Commission decides are of the same general character as those listed as permitted uses, and which will not be detrimental to the district in which they are located.
9. Any trade or use that is obnoxious or offensive by the emission of odor, dust, smoke or noise is prohibited.
10. Open front stores for feeding, drinking and other purposes may be erected or permitted in business districts in those places and under such conditions, as in the opinion of the Town Commission would not adversely affect the safety, morals, health or general welfare of the Town or Community. No such place shall be operated except upon permit granted by the Town Commission on written application.

WHEREAS, the change that is to be made is to amend Section VI (B-2 Business District) effective on that part of the B-2 Business District located South of Ocean Boulevard (State Road A-1-A) of the zoning Ordinance of the Town by providing that hereafter the following uses will

be permitted in the B-2 Business District, to wit:

1. All uses permitted in any residential district subject to all provisions specified for such residential districts.
2. Hotels with not less than twenty-five (25) guest rooms, motels.
3. Such accessory buildings and uses as are normally incident to the permitted uses outlined above.
4. Municipal buildings, including Town Hall, Fire and Police Stations, but no jail or general workshop, water tank.
5. Churches, library, Post Office.
6. Professional and office buildings.

WHEREAS, it appears that it would be for the best interest of the Town to make these changes in Ordinance No. 65 of the Town, and

WHEREAS, the Town desires to pass an Ordinance making the changes in the Town Ordinance above mentioned, and

WHEREAS, the Town desires that a proper notice be given prior to the adoption of an Ordinance making the changes in the Town's Zoning Ordinance as hereinabove set out, which changes will be an amendment to Ordinance No. 65.

NOW BE IT THEREFORE RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA:

1. That Notice of this Resolution and Intent to Change the Town of Sewall's Point Zoning Ordinance in the particulars as set out hereinabove be posted in at least three (3) conspicuous places within the Town, including the Town Hall.

2. That this Town Commission will at 4:00 o'clock P. M. on the 14 day of October, 1970, hold a public hearing in regard to the changes of the Town Zoning Ordinance as set forth hereinabove,

which will be an Amendment of Ordinance No. 65.

PASSED AND ADOPTED this 8 day of July, 1970.

TOWN OF SEWALL'S POINT

BY *Kevin Saeed*
As Mayor-Commissioner

Paul S. Smith
As Vice Mayor-Commissioner

Harry M. Lison
As Commissioner

Aubrey R. Nicholson
As Commissioner

Frank Porter
As Commissioner

ATTEST:

Mary J. Smith
As Town Clerk

Approved as to form and correctness
this 8 day of July, 1970.

F. J. Oughterson
As Town Attorney