

RESOLUTION NO. 236

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, AUTHORIZING AND APPROVING A VARIANCE FROM THE REQUIRED MINIMUM LOWEST FLOOR ELEVATION FOR RESIDENTIAL CONSTRUCTION BY DONALD J. WARNER AND KATHRYN C. WARNER, his wife

WHEREAS, the Town Commission of the Town of Sewall's Point, Florida, is authorized under Section 6.1-4(d) of the Code of Ordinances, Town of Sewall's Point, Florida, to hear and decide requests for variances from the requirements of Chapter 6.1 of the Code of Ordinances, Flood Damage Prevention; and

WHEREAS, DONALD J. WARNER and KATHRYN C. WARNER, his wife (the Applicants), are the owners of the property within the Town more particularly described on the attached Exhibit "A," which is located within an area of special flood hazard in which any substantial improvement of any residential structure is required to have the lowest floor elevated to or above the base flood elevation of 9.0 feet under Section 6.1-5(b)(1) of the Code of Ordinances; and

WHEREAS, the Applicants have requested a variance permitting the substantial improvement of their residence located on the above-described real property with the lowest floor elevated to not less than 8.0 feet rather than the required elevation of 9.0 feet; and

WHEREAS, the Town Commission has heard the Applicants' representatives and all interested members of the public at a public meeting of the Town Commission, and has considered all of the matters required under Section 6.1-4(d)(5) of the Code of Ordinances, and has found that the Applicants have shown good and sufficient cause, and that failure to grant the variance would result in exceptional hardship to the Applicants, and that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws and ordinances.

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

1. DONALD J. WARNER and KATHRYN C. WARNER, his wife, are hereby granted a variance from the specific standards of Section 6.1-5(b)(1) of the Code of Ordinances of the Town of Sewall's Point to construct substantial improvements on the real property described in Exhibit "A," in accordance with the plans and specifications submitted by the Applicants and on file at the Town Hall of the Town of Sewall's Point, having the lowest floor elevation at not less than 8.0 feet rather than the required 9.0 feet.

2. This resolution shall not be construed to grant any other or further variance or exception to the general and specific standards and requirements of Chapter 6.1 or any other provision of the Code of Ordinances of the Town of Sewall's Point.

3. The Town Clerk is hereby directed to furnish a copy of this resolution to the Applicants, and the Applicants are hereby notified that the difference between the base flood elevation and the elevation to which the subject improvements are to be built is 1.0 foot and that the cost of flood insurance for the improvements will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

4. The Building Commissioner of the Town is directed to maintain a record of the instant appeal action and report this variance to the Federal Insurance Administration upon request.

PASSED AND ADOPTED this 14th day of November, 1984.

ATTEST:

Joan Barrow  
JOAN BARROW, Town Clerk

John C. Guenther  
JOHN C. GUENTHER, Mayor -  
Commissioner

G. C. Strubell  
GILBERT C. STRUBELL, Vice-Mayor -  
Commissioner

Approved as to form and  
correctness:

M. Lanning Fox  
M. LANNING FOX, Town  
Attorney

Robert R. Aune  
ROBERT R. AUNE, Commissioner

Clifford B. Drake  
CLIFFORD B. DRAKE, Commissioner

Helena B. Towl  
HELENA B. TOWL, Commissioner

OK  
11-16-84  
JLB

EXHIBIT "A"

PARCEL I

A portion of Lot 2, EVINRUDE'S SUBDIVISION, as recorded in Plat Book 7, Page 16, Martin County, Florida, Public Records, and being more particularly described as follows:

Begin at the Northwest corner of said Lot, bear North 65°00'23" East along the Northerly line of said Lot a distance of 190 feet; thence South 16°51'28" West a distance of 161.71 feet to the Southerly line of said Lot; then South 65°01'04" West along said line a distance of 130 feet to the Southwest corner of said Lot; thence North 3°18'23" West along the West line of said Lot a distance of 129.60 feet to the Point of Beginning.

TOGETHER WITH the following described road easement:  
Begin at the Northeasterly corner of said Lot 2, bear South 12°22'32" East along the Easterly line of said Lot a distance of 18.45 feet; thence South 65°00'23" West a distance of 148.53 feet; thence North 16°51'28" East, a distance of 24.17 feet to the Northerly line of said Lot 2; thence North 65°00'23" East, along said line a distance of 136.43 feet to the Point of Beginning.

PARCEL II

Lot 2, REVISED WHITE FENCE ACRES, according to the plat thereof recorded in Plat Book 4, Page 97, of the Public Records of Martin County, Florida.