

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, AUTHORIZING AND APPROVING ERECTION OF SPECIAL LIGHTING FOR NIGHT USE OF TENNIS COURTS BY WILLIE E. GARY AND GLORIA R. GARY, HIS WIFE, AS REQUIRED BY CODE OF ORDINANCES OF THE TOWN OF SEWALL'S POINT, APPENDIX B - ZONING, SECTION XI.E.3.

LEGAL DESCRIPTION

LOTS 1 and 2, MANDALAY SUBDIVISION, AS RECORDED IN PLAT BOOK 4, PAGE 86, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

WHEREAS, the Town Commission of the Town of Sewall's Point has authority under the Code of Ordinances of the Town of Sewall's Point, Appendix B - Zoning, Section XI.E.3, to grant permission for lot owners to erect special lighting for night use of tennis courts upon request by the lot owner; and

WHEREAS, WILLIE E. GARY and GLORIA R. GARY, his wife, the owners of the above-described property, have applied for permission to erect special lighting for night use of tennis courts; and

WHEREAS, the Town Commission has determined that the notice requirements under the Code of Ordinances of the Town of Sewall's Point, Appendix B - Zoning, Section XI.E.3, have been fulfilled by the applicant, and that the applicants and members of the public have been heard, and that the Commission has received a petition in opposition to the lights which is signed by residents of the Town, and the Commission has considered all of the foregoing.

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

1. WILLIE E. GARY and GLORIA R. GARY, his wife, are hereby granted approval of the Town Commission of the Town of Sewall's Point to erect not more than eight cut-off environmental luminair lights on the tennis court on the above-described lot having a height of not more than eighteen (18) feet.

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2. This approval is granted with the condition that the Town Commission of the Town of Sewall's Point reserves the

right to limit hours of play on the tennis court during which the lights can be used if the lights or the noise occasioned during use of the tennis courts under the lights is hereafter determined by the Town Commission of the Town of Sewall's Point to unreasonably intrude on the peace and tranquility of adjacent residential uses.

3. This resolution shall be recorded by WILLIE E. GARY and GLORIA R. GARY, his wife, in the Public Records of Martin County, Florida at their sole expense.

PASSED AND ADOPTED this 10th day of September, 1986.

ATTEST:

Joan Barrow
JOAN BARROW, Town Clerk

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

Approved as to form and
correctness:
M. Lanning Fox
M. LANNING FOX, Town
Attorney

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

Robert R. Aune
ROBERT R. AUNE, Commissioner

Clifford B. Drake
CLIFFORD B. DRAKE, Commissioner

Irene E. O'Brien
IRENE E. O'BRIEN, Commissioner
OPPOSED

10 OCT 10 1986
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