

## LEGAL NOTICE

### NOTICE

NOTICE is hereby given that the following proposed Ordinance amending Section III, Appendix B, Zoning, Code of Ordinances, Town of Sewall's Point, will be introduced in writing and read for the first time at the regular meeting of the Town Commission of the Town of Sewall's Point to be held at the Town Hall in Sewall's Point, Florida, on the 11th day of August, 1982, at 7:30 p.m., or as soon thereafter as is practicable.

A full copy of said proposed ordinance amending Section III, Appendix B, Zoning, Code of Ordinances, Town of Sewall's Point, may be inspected at the Town Hall in Sewall's Point, Florida during regular business hours. All interested parties may appear at said meeting and be heard with respect to this proposed ordinance.

The Town Commission of the  
TOWN OF SEWALL'S  
POINT

By: Joan Barrow, Town  
Clerk

### ORDINANCE NO. 135

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING SECTION III, APPENDIX B, ZONING, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA: PROVIDING DEFINITIONS FOR LOT DEPTH, LOT WIDTH, AND LOT LINES: AMENDING SECTION VI.E.1., APPENDIX B, ZONING, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA: AMENDING MINIMUM REQUIRED LOT DIMENSIONS TO ELIMINATE IRREGULAR LOT EXCEPTION: PROVIDING FOR INSERTION IN THE TOWN CODE: PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH: PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL: PROVIDING FOR AN EFFECTIVE DATE.

Publish: August 4, 1982.

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The Town Commission of the  
TOWN OF SEWALL'S POINT

By: Joan Barrow, Town Clerk

*Joan Barrow*

ORDINANCE NO. 135

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING SECTION III, APPENDIX B, ZONING, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA: PROVIDING DEFINITIONS FOR LOT DEPTH, LOT WIDTH, AND LOT LINES: AMENDING SECTION VI.E.1., APPENDIX B, ZONING, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA: AMENDING MINIMUM REQUIRED LOT DIMENSIONS TO ELIMINATE IRREGULAR LOT EXCEPTION: PROVIDING FOR INSERTION IN THE TOWN CODE: PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH: PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL: PROVIDING FOR AN EFFECTIVE DATE.

Third Draft  
Proposed Ord 82-7  
September 3, 1982

Coding: Words underscored are deletions from existing ordinance;  
words in **BOLDFACE** type are additions

\* \* \* \* \*

ORDINANCE NO. 135

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING SECTION III, APPENDIX B, ZONING, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA; PROVIDING DEFINITIONS FOR LOT DEPTH, LOT WIDTH, AND LOT LINES; AMENDING SECTION VI.E.1., APPENDIX B, ZONING, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA; AMENDING MINIMUM REQUIRED LOT DIMENSIONS TO ELIMINATE IRREGULAR LOT EXCEPTION; PROVIDING FOR INSERTION IN THE TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Florida Statutes, and the Town Charter of the Town of Sewall's Point, Florida, styled Chapter 57-1865, Laws of Florida, the Town of Sewall's Point has the authority to enact zoning ordinances; and

WHEREAS, the Planning and Zoning Board of the Town of Sewall's Point, Florida, has recommended and referred to the Town Commission amendments and supplements to the zoning regulations clarifying minimum required width dimensions for lots in Residential Districts within the Town of Sewall's Point, and has held a public hearing thereon, with due public notice, and submitted in writing its recommendations on the proposed change to the Town Commission for official action; and

WHEREAS, the Town Commission has determined that it is necessary and proper to amend the existing zoning ordinances to provide and ensure that any lot created after the date of this ordinance by subdivision, minor subdivision or otherwise, shall meet the minimum required lot width dimensions in order to fit the needs of the Town;

NOW THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Sewall's Point, Florida, that Appendix B, Zoning, Section III, Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended to read as follows:

Section III. Definitions.

\* \* \* \* \*

Lot, depth of: The depth of the lot measured along a straight line running equidistant from the primary side lot lines or extensions thereof. A mean horizontal distance from the street line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.

\* \* \* \* \*

Lot, width of: The average mean width of the lot measured between the side lot lines at right angle to its depth.

\* \* \* \* \*

Lot lines: The lines abounding bounding a lot as defined below: herein.

- (a) Front lot line: The line dividing a lot from a street or private road.
- (b) Rear lot line: The lot line opposite the front lot line, except as provided in Section VI.E.5. of this Appendix B.
- (c) Side lot line: Any lot line that is not a front lot line or a rear lot line. On every lot, two side lot lines that are substantially parallel shall be designated as primary side lot lines.

\* \* \* \* \*

BE IT FURTHER ORDAINED by the Town Commission of the Town of Sewall's Point, Florida, that Appendix B, Zoning, Section VI.E.1., of the Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended to read as follows:

Section VI. Residential Districts [-R-1 Districts].

\* \* \* \* \*

E. Minimum Required Lot Dimensions:

1. No residential lot shall have a width (exclusive of private road, right-of-way or easement for access to another lot or street) of less than one hundred twenty (120) feet; except in the case of irregularly shaped lots where the average width of front and back lot lines shall be a minimum of one hundred twenty (120) feet provided, however, that neither front nor rear line shall be less than seventy-five (75) feet in length.

\* \* \* \* \*

SEPARATION.

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to have been the intent of the Board to adopt

this Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts, shall be deemed and held to be valid as if such part or parts had not been included herein. If this Ordinance or any provision thereof shall be held to be inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holdings shall not affect its applicability to any other person, property or circumstances.

REPEAL.

Town ordinances and Town resolutions, or parts thereof, in conflict with this Ordinance are hereby abolished and repealed to the extent of such conflict.

INCORPORATION IN TOWN CODE.

Provisions of this Ordinance shall be incorporated in the Town Code and the word "Ordinance" may be changed to "section," "article," or other appropriate word, and the sections of this Ordinance may be renumbered or relettered to accomplish such intention.

EFFECTIVE DATE.

This Ordinance shall become effective immediately upon the date of its passage according to law.

Passed first reading at the regular meeting of the Town Commission held on the 15 day of September, 1982.

Passed second reading at the regular meeting of the Town Commission held on the 13 day of October, 1982.

ATTEST:

Joan Barrow  
JOAN BARROW, Town Clerk

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

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

Helena B. Towl  
HELENA B. TOWL, Commissioner

William E. Barton III  
WILLIAM E. BARTON III,  
Commissioner

Dana de Windt  
DANA deWINDT, Commissioner

Edward H. Gluckler  
EDWARD H. GLUCKLER, Commissioner