

Second Draft
May 2, 1984

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

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ORDINANCE NO. 148

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING SECTION XI.I., APPENDIX B, ZONING, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA; PROVIDING MINIMUM SETBACKS FOR COMMERCIAL SIGNS; ESTABLISHING MAXIMUM HEIGHT FOR COMMERCIAL SIGNS; 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 has recommended and referred to the Town Commission amendments to the zoning regulations reducing the minimum distance for commercial signs located in B-1 and B-2 districts within the Town and establishing a height limitation for such signs, and has held a public hearing thereon, with due public notice, and submitted in writing its recommendation on the proposed change to the Town Commission for official action; and

WHEREAS, the Town Commission has determined that it is necessary and appropriate to amend the existing zoning ordinances to provide for a reduced distance between commercial signs and abutting streets and to establish height limitations for such signs.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, that Appendix B, Zoning, Section XI.I.1.e., Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended to read as follows:

- e. All signs shall be a minimum distance of **fifteen (15) thirty (30) feet distance from the edge of the right-of-way line of every at the abutting street, **except for Ocean Boulevard (State Road****

A-1-A), from which a minimum distance of two (2) feet from the right-of-way line shall be maintained.

BE IT FURTHER ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, that Appendix B, Zoning, Section XI.I.1. shall be amended by adding a new subsection, to be numbered i., which shall read as follows:

- i. No sign shall be erected to a height exceeding sixteen (16) feet unless the sign is located at least thirty (30) feet from the right-of-way line of every abutting street, in which case the sign may be erected to a height not exceeding twenty-seven (27) feet.

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 11th day of April, 1984.

Passed second reading at the regular meeting of the Town Commission held on the 9th day of May, 1984.

ATTEST:

Joan Barrow
JOAN BARROW, Town Clerk

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

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

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

Robert R. Aune
ROBERT R. AUNE, Commissioner

Clifford B. Drake
CLIFFORD B. DRAKE, Commissioner

Helena B. Towl
HELENA B. TOWL, Commissioner