
005 Legal Notices

LEGAL NOTICE

Notice is hereby given that the following proposed ordinance will be introduced in writing and read for the second time at the regular meeting of the Sewall's Point Town Commission on Wednesday, April 10, 1985 at the Sewall's Point Town Hall, 1 South Sewall's Point Road, Sewall's Point, Florida, at 7:30 PM or as soon thereafter as it practicable.

Full copies of said proposed ordinance may be inspected at the Town Hall in Sewall's Point during regular business hours. All interested parties may appear at said meeting and be heard with respect to this proposed ordinance.

ORDINANCE #155
AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING APPENDIX B-ZONING, SECTION III, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA PROVIDING AMENDED DEFINITION OF "ACCESSORY BUILDING"; PROVIDING FOR INSERTION ON 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.

005 Legal Notices

The Town Commission
of the Town of
Sewall's Point,
Florida

Joan Barrow,
Town Clerk

Pub.: March 27, 1985
M-40

First Draft
February 4, 1985

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

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ORDINANCE NO. 155

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING APPENDIX B - ZONING, SECTION III, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA; PROVIDING AMENDED DEFINITION OF "ACCESSORY BUILDING"; 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 Chapters 163 and 166, Florida Statutes, and the Town Charter of the Town of Sewall's Point, Florida, the Town of Sewall's Point has the authority to enact zoning ordinances; and

WHEREAS, the application of the present definition of "accessory building" set forth in Appendix B, Zoning, Section III, Code of Ordinances, has resulted in technical circumvention of the intent of the ordinances with particular reference to the provisions allowing accessory buildings for use as guesthouses and servants' quarters in R-1 residential zoning districts within the Town; and

WHEREAS, the Town Commission wishes to provide a more certain definition of accessory buildings so as to ensure that all guesthouses and servants' quarters within the Town are subject to the increased set-back requirements provided in the Code for the peace, privacy and welfare of inhabitants of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, that the definition of "accessory building" set forth in Appendix B, Zoning, Section III, Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended to read as follows:

Building, accessory: An "accessory building" shall mean a subordinate building or a portion of the main building on a lot, the use of which is customarily incidental to that of the

main or principal building on a lot, whether or not incorporated in or connected to the main building by a common roof, covered walkway or otherwise.

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 13th day of March, 1985.

Passed second reading at the regular meeting of the Town Commission held on the 10th day of April, 1985.

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

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

Robert R. Aune
ROBERT R. AUNE, Commissioner

CLIFFORD B. DRAKE, Commissioner

Helena B. Towl
HELENA B. TOWL, Commissioner