

B

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 12 1/2 LANDSCAPING, SECTION 12 1/2-13; ADJUSTMENTS OF STANDARDS BY BEAUTIFICATION COMMITTEE, APPEALS FROM COMMITTEE DECISIONS, PROVIDING FOR POSTING; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: The Code of Ordinances of the City of Margate, Florida, Chapter 2. Administration, Section 2-80, is hereby amended to read as follows:

Sec. 12 1 2-13./Adjustments of standards by beautification committee; appeals from committee decisions.

(a) There is hereby created a beautification committee to consist of three (3) members of the City of Margate Planning and Zoning Board. The beautification committee, upon receipt of an application for the adjustment of landscaping requirements provided herein, which is filed on forms prescribed by the city and executed and sworn to by the owner or tenant of the property concerned or by authorized agents as evidenced by written power of attorney and accompanied by a fee of one hundred fifty dollars (\$150.00), shall have the authority and duty to consider and act upon such application. The applicant shall in the application, clearly and in detail, state what adjustments of requirements are being requested and the reasons such adjustments are warranted and shall accompany the application with such supplementary data, such as sketches, surveys and statistical information, as is deemed necessary to substantiate the adjustment. The beautification committee may approve, modify or deny the requested adjustment, but shall approve or modify only if it determines that approval of any adjustment would not be contrary to the public interest and would be in keeping with and would preserve the intent of this chapter and that literal enforcement of the above standards would be

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1 impracticable and would result in unreasonable and
2 unnecessary hardship.

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4 (b) Notice for consideration of all applications to
5 the beautification committee shall comply with Section
6 22.4(d) Appendix A of the zoning code.
7

8 ~~(b)~~ (c) The beautification committee shall act as
9 expeditiously as possible on the application, and shall
10 post its decision in the form of a short, concise
11 statement of the action taken on a conspicuous bulletin
12 board that may be seen by the public at reasonable times
13 and hours in City Hall.
14

15 ~~(e)~~ (d) Within ten (10) days after posting the
16 decision, but not thereafter, a decision of the
17 beautification committee may be appealed by the applicant
18 to the city commission; otherwise, it shall become final.
19 The appeal shall be on a form prescribed by the city and
20 filed with the building department and the petitioner
21 shall be notified at the time and place the appeal will be
22 heard by the city commission. The appeal shall state in
23 brief,
24 concise language the grounds and reasons for reversal of
25 the ruling made by the beautification committee, and the
26 city commission may affirm, modify or reverse the ruling
27 of the beautification committee, subject to the guidelines
28 and standards governing the committee.
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30 SECTION 2: All ordinances or parts of ordinances in
31 conflict herewith are and the same is hereby repealed to the
32 extent of such conflict.
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34 SECTION 3: If any section, sentence, clause, or phrase
35 of this ordinance is held to be invalid or unconstitutional
36 by a court of competent jurisdiction, then said holding
37 shall in no way affect the validity of the remaining
38 portions of this ordinance.
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40 SECTION 4: It is the intention of the City Commission
41 that the provisions of this ordinance shall become and be
42 made a part of the City of Margate Code, and that the
43 sections of this ordinance may be renumbered or relettered
44 and the word "ordinance" may be changed to "section",
45 "article" or such other appropriate word or phrase in order
46 to accomplish such intentions.
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48 SECTION 5: This ordinance shall become effective
49 immediately upon adoption at its second reading.
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51 PASSED ON FIRST READING THIS _____ day of _____.

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PASSED ON SECOND READING THIS _____ day of _____.

ATTEST:

LESLIE RAE WALLACE
CITY CLERK

MAYOR DAVID McLEAN

RECORD OF VOTE - 1ST READING

RECORD OF VOTE - 2ND READING

Talerico _____
Varsallone _____
Bross _____
Donovan _____
McLean _____

Talerico _____
Varsallone _____
Bross _____
Donovan _____
McLean _____

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