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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, PROVIDING FOR APPEALS TO THE BOARD OF ADJUSTMENT; 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 12 1/2 Landscaping, Section 12 1/2-13, 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, shall be filed with the Board of Adjustment pursuant to the procedures provided for said Board. 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

First Reading April 2, 2008  
Second Reading April 16, 2008

CODING: Words in ~~struck through type~~ are deletions from existing text; Words in underscored type are additions.

1 with and would preserve the intent of this chapter and  
2 that literal enforcement of the above standards would be  
3 impracticable and would result in unreasonable and  
4 unnecessary hardship.  
5

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

13 (c) Within ten (10) days after posting the decision,  
14 but not thereafter, a decision of the beautification  
15 committee may be appealed by the applicant to the city  
16 commission; otherwise, it shall become final. The appeal  
17 shall be on a form prescribed by the city and filed with  
18 the building department and the petitioner shall be  
19 notified at the time and place the appeal will be heard by  
20 the city commission. The appeal shall state in brief,  
21 concise language the grounds and reasons for reversal of  
22 the ruling made by the beautification committee, and the  
23 city commission may affirm, modify or reverse the ruling  
24 of the beautification committee, subject to the guidelines  
25 and standards governing the committee.  
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28 SECTION 2: All ordinances or parts of ordinances in  
29 conflict herewith are and the same is hereby repealed to the  
30 extent of such conflict.  
31

32 SECTION 3: If any section, sentence, clause, or phrase  
33 of this ordinance is held to be invalid or unconstitutional  
34 by a court of competent jurisdiction, then said holding  
35 shall in no way affect the validity of the remaining  
36 portions of this ordinance.  
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38 SECTION 4: It is the intention of the City Commission  
39 that the provisions of this ordinance shall become and be  
40 made a part of the City of Margate Code, and that the  
41 sections of this ordinance may be renumbered or relettered  
42 and the word "ordinance" may be changed to "section",  
43 "article" or such other appropriate word or phrase in order  
44 to accomplish such intentions.  
45

46 SECTION 5: This ordinance shall become effective  
47 immediately upon adoption at its second reading.  
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49 PASSED ON FIRST READING THIS \_\_\_\_\_ day of \_\_\_\_\_.

50 PASSED ON SECOND READING THIS \_\_\_\_\_ day of \_\_\_\_\_.

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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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