

ORDINANCE NO. 07-2021

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE I, SECTION 78-2 PERTAINING TO THE DEFINITION OF THE TERM "SHED"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Code contains zoning definitions which are codified in Chapter 78, Article I, Section 78-2 of the Town's Code of Ordinances; and

WHEREAS, the Community Development Director has recommended that the Town Commission amend Chapter 78, Article I, Section 78-2, of the Town Code pertaining to the definition of the term "shed".

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. Chapter 78, Article I, Section 78-2 of the Town Code is hereby amended to read as follows:

Shed means a standalone accessory structure permitted in residential zoning districts and intended to store lawn, garden, pool care equipment, or other similar items that meet the regulations of the zoning district within which they are located. ~~Shed with walls which do shall~~ not exceed 8 feet and a the roof peak not to exceed 12 feet when measured from the finished grade. ~~and the~~ The total square footage of which does any shed shall not exceed ~~120~~ 144 square feet. Such structures shall be limited to one per property and shall be placed in side and rear yards only and shall meet all setback requirements. Structure materials shall be of a color and design that are compatible in relation to other structures in the immediate area. The structure shall be appropriately landscaped when viewed from a public way or neighboring property.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall

be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Codification.

The sections of this ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

Section 5. Repeal of Laws in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date.

This ordinance shall take effect immediately upon execution.

Upon First Reading this 1 day of September, 2021, the foregoing Ordinance was offered by Commissioner Michaud, who moved its approval. The motion was seconded by Commissioner Flaherty and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 5 DAY OF September, 2021

Upon Second Reading this 21 day of September, 2021, the foregoing Ordinance, was offered by Commissioner Linden, who moved its adoption. The motion was seconded by Commissioner Flaherty and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER JOHN LINDEN	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 07-2021 duly passed and adopted this 21 day of September, 2021.

TOWN OF LAKE PARK, FLORIDA

BY: [Signature]
Mayor, Michael O'Rourke

ATTEST:

Approved as to form and legal sufficiency:

[Signature]
Town Clerk, Vivian Mendez
TOWN OF LAKE PARK
SEAL
(Town Seal)

[Signature]
Town Attorney, Thomas J. Baird

FLORIDA

**LEGAL NOTICE OF PROPOSED ORDINANCE
TOWN OF LAKE PARK**

Please take notice that on Tuesday, September 21, 2021 at 6:30 p.m. or soon thereafter the Town Commission, of the Town of Lake Park, Florida to be held at 535 Park Avenue, Lake Park, Florida 33403 will consider the following Ordinances on second reading and proposed adoption thereof:

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CHAPTER 78, ARTICLE I, SECTION 78-2 PERTAINING
TO THE DEFINITION OF THE TERM “SHED”;
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ALL LAWS IN CONFLICT; AND PROVIDING FOR AN
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If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, MMC, Town Clerk
Town of Lake Park, Florida
PUB: September 5, 2021 The Palm Beach Post