

**TOWN OF OCEAN RIDGE
TOWN COMMISSION SPECIAL MEETING
AGENDA**



**April 30, 2018
1:00 P.M.
TOWN HALL – MEETING CHAMBERS**

TOWN COMMISSION

Vice Mayor James A. Bonfiglio

Commissioner Philip Besler

Commissioner Steve Coz

Commissioner Kristine de Haseth

Commissioner Don MaGruder

ADMINISTRATION

Town Manager James S. Titcomb

Town Attorney R. Brian Shutt

Town Clerk Tracey L. Stevens

Police Chief Hal C. Hutchins

RULES FOR PUBLIC PARTICIPATION

1. **PUBLIC COMMENT:** The public is encouraged to offer comments with the order of presentation being as follows: Town Staff, Public Comments, Commission discussion and official action. Town Commission meetings are business meetings of the Commission and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to one time up to three minutes or less regarding any single item on the agenda.** The Mayor or presiding officer has discretion to adjust the amount of time allocated.
 - A. Public Hearings: Any citizen is entitled to speak on items under this section.
 - B. Public Comments: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the Town Manager to take action on requests or comments. The Commission meetings are held for the purpose of discussing and establishing policy and to review such other issues that affect the general welfare of the Town and its residents. Where possible, individual grievances should first be taken up with the Town Staff.
 - C. Regular Agenda and First Reading Items: When extraordinary circumstances or reasons exist and at the discretion of the Commission, citizens may speak on any official agenda item under these sections.

2. **ADDRESSING THE COMMISSION:** At the appropriate time, please step up to the podium and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

APPELLATE PROCEDURES

Please be advised that if a person decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The Town neither provides nor prepares such record. (F.S. Section 286.0105)

Persons who need an accommodation in order to attend or participate in this meeting should contact the Town Clerk at (561) 732-2635 at least 5 days prior to the meeting in order to request such assistance.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

PUBLIC COMMENT – (15 minute maximum with 3 minute individual limit)

RESOLUTIONS

1. Resolution No. 2018-05: A Resolution of the Town Commission of the Town of Ocean Ridge, Florida, Issuing a Notice of Intent to Adopt a Temporary Moratorium on the Issuance of Building Permits in the RSF Zoning District Regarding New Construction and Construction that Increases the Size of the Existing Structure More Than Fifty Percent or Where the Cost Exceeds Fifty Percent of the Existing Structure; Prohibiting the Issuance of Building Permits; Directing the Town Clerk to Schedule a Public Hearing on the Moratorium and Providing an Effective Date. (By: R. Brian Shutt, Town Attorney)

ADJOURNMENT

**NEXT SCHEDULED TOWN MEETING(S):
REGULAR TOWN COMMISSION MEETING MAY 7, 2018 AT 6:00 PM**

MEMORANDUM

TO: MAYOR AND COMMISSIONERS
FROM: R. BRIAN SHUTT, TOWN ATTORNEY
RE: PROPOSED RESOLUTION REGARDING TEMPORARY MORATORIUM
DATE: APRIL 25, 2018

The proposed resolution declares the intent of the Town Commission to adopt an ordinance regarding a temporary moratorium on the issuance of building permits for the construction or addition to a structure, where the construction increases the size of the existing structure by more than 50% of the existing structure or where the cost of improvements to the structure exceed 50% of the cost of the existing structure, of any structures located in the RSF zoning district. The resolution further provides that no building permits shall be issued for construction that meets the requirements of the moratorium and that the Town Clerk is directed to schedule the public hearings for the adoption of the ordinance on the temporary moratorium.

Please call if you have any questions regarding this item.

RESOLUTION NO. 2018-05

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, ISSUING A NOTICE OF INTENT TO ADOPT A TEMPORARY MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS IN THE RSF ZONING DISTRICT REGARDING NEW CONSTRUCTION AND CONSTRUCTION THAT INCREASES THE SIZE OF THE EXISTING STRUCTURE MORE THAN FIFTY PERCENT OR WHERE THE COST EXCEEDS FIFTY PERCENT OF THE EXISTING STRUCTURE; PROHIBITING THE ISSUANCE OF BUILDING PERMITS; DIRECTING THE TOWN CLERK TO SCHEDULE A PUBLIC HEARING ON THE MORATORIUM AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there has been discussion over the recent weeks regarding the construction of new single family residential structures and additions to existing single family residential structures that appear to be too large for the building sites they occupy and unconventional in nature; and,

WHEREAS, it is believed that the aforesaid new construction and improvements to existing single family residences are only the beginning of a trend that could increase as the older single family residences in the Town are sold for demolition or reconstruction; and,

WHEREAS, the Town Commission is concerned that the construction of these unconventional structures within established neighborhoods, adjacent to long standing single family residences, is contrary to the established "character" of the neighborhoods in which they are located; and,

WHEREAS, it is both proper and appropriate for the Town Commission to provide that a comprehensive review and determination of any building and zoning issue related to such unconventional structures be performed; and,

WHEREAS, in conjunction with the review to be conducted as directed by the Town Commission, it is also appropriate to provide certain restrictions and prohibitions in regard to the issuance of building permits for the activities under study, due to the potential detrimental impact upon the existing neighborhoods of the Town; and,

WHEREAS, the proposed building and zoning review should encompass, but not be limited to, building size, amount of bedrooms and bathrooms as this relates to the size of the drain field, required onsite parking spaces, relationship of the building to the site and to the neighborhood; and,

WHEREAS, although the Town Commission is fully cognizant and respectful of the rights of the owners of single family residential properties in the Town, the Town Commission has determined that the potential for severe and detrimental consequences to the existing RSF zoning district of the Town is realistic and likely if the unregulated construction of unconventional structures within the Town is permitted to continue, and that the institution of a temporary moratorium on the issuance of building permits is both required and justified at this time in order for a proper review and study of the problem and related issues to be conducted:

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

Section 1. The Town Commission hereby declares its intent to adopt a moratorium on the issuance of any building permits for the construction or addition to a structure, where the construction increases the size of the existing structure by more

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than 50% of the existing structure or where the cost of improvements to the structure exceed 50% of the cost of the existing structure, of any structures located in the RSF zoning district.

Section 2. That in accordance with this notice of intent to adopt a temporary moratorium on the issuance of building permits, no building permits shall be issued for the construction or addition to a structure, where the construction increases the size of the existing structure by more than 50% of the existing structure or where the cost of improvements to the structure exceed 50% of the cost of the existing structure, of any structures located in the RSF zoning district.

Section 3. That the Town Clerk is hereby directed to schedule a public hearing, before the Town Commission, for the ordinance regarding the temporary moratorium on the issuance of building permits, on May 7, 2018 and on June 4, 2018.

Section 4. This Resolution shall take effect immediately upon adoption.

Commissioner _____ offered the foregoing resolution.
Commissioner _____ seconded the motion, and upon being put to a vote, the vote was as follows:

| | <u>Aye</u> | <u>Nay</u> | <u>Absent</u> |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| JAMES A. BONFIGLIO, MAYOR | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DON MAGRUDER, VICE MAYOR | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| STEVE COZ, COMMISSIONER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| KRISTINE DE HASETH, COMMISSIONER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| PHILIP BESLER, COMMISSIONER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2018.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
James A. Bonfiglio, Mayor

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ATTEST:

BY: _____
Tracey L. Stevens, Town Clerk

REVIEWED FOR FORM AND LEGAL SUFFICIENCY

BY: _____
R. Brian Shutt, Town Attorney